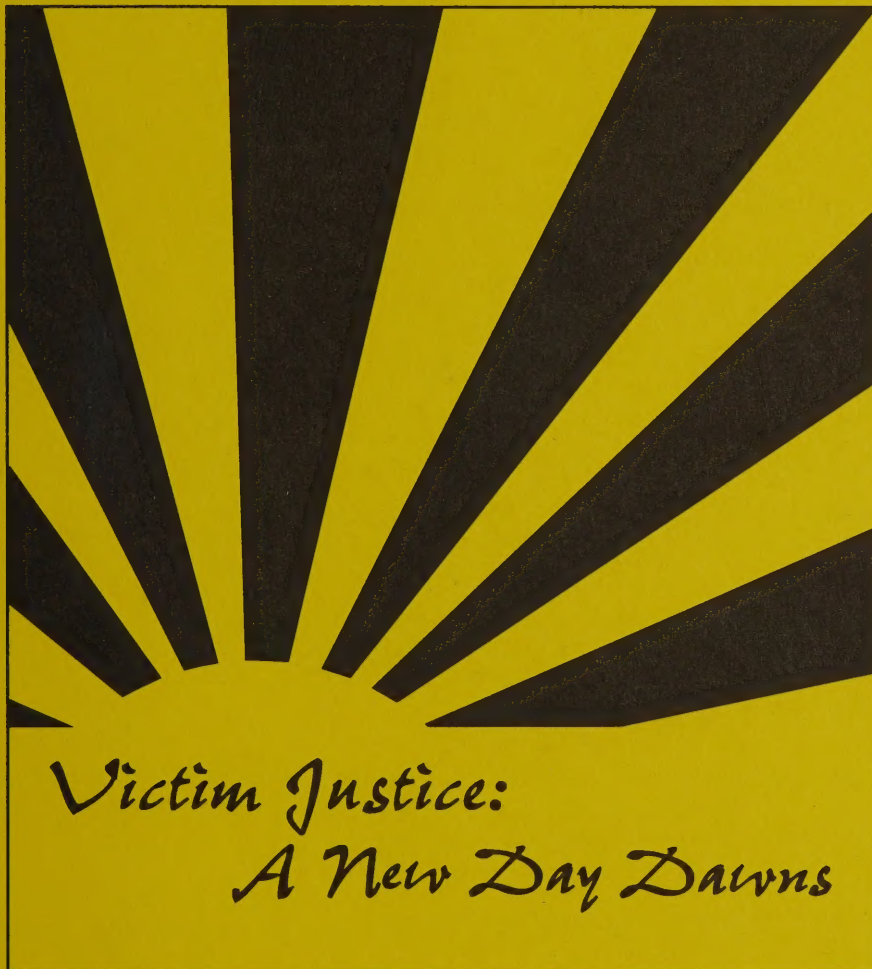


# CRIME VICTIMS' HANDBOOK



*Victim Justice:  
A New Day Dawns*

MONTANA BOARD OF CRIME CONTROL  
303 NORTH ROBERTS  
HELENA, MT 59620  
(406) 444-3604

*1996 Edition*



## ***IMPORTANT TELEPHONE NUMBERS***

Police Department

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Officer(s) Name

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& Phone #

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Sheriff's Department

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Deputy Sheriff Name

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& Phone #

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Co. Attorney's Office

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Prosecutor's Name

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& Phone #

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Victim Assistance

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Program

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Crime Victim  
Compensation Program

Montana Board of Crime Control

303 North Roberts

Helena, MT 59620

(406) 444-3653 or

1-800-498-6455

Dept. of Public Health and

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Human Services (DPPHS)

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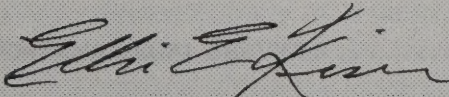
## FOREWORD

Many positive changes that benefit crime victims occurred during the 1995 legislative session. Included in the new laws are requirements that victims must be kept informed throughout the entire process of their case; increases in victim compensation benefits; mandatory restitution; and increases in sentences along with required counseling for offenders convicted of partner or family member assault, just to name a few. These changes along with increased federal funding for victim services and improvements in the criminal justice system will carry Montana into the 21st century with a more promising outlook for victims. Victims will enjoy an unprecedented seat in the center of the criminal justice system, where their rights and concerns will be a top priority. This stands in sharp contrast to the past where often times the victim felt that the rights of the offender were paramount to the needs of them and their family.

This third edition of the Crime Victims' Handbook is intended to help victims and advocates access the information they need to get the help they deserve. This book contains information about the crimes of battering, child abuse and elder abuse, as well as serving as a resource directory. Please let us know if you would like to see other information included in future editions of this handbook. We would also appreciate hearing your thoughts on what improvements are needed in the criminal justice system. It is important that you communicate these views to your Legislators as well, after all, they are the ones who actually enact the laws of our State.

Although this handbook cannot contain everything you will need to help you on the path to recovery, hopefully it will connect you with the resources you need to help you through the trauma and difficulties you face. If you're a victim of crime, contact your local law enforcement agency as soon as possible and use this handbook to help identify other resources you may wish to use. We hope that this guide will be useful to you and to the many advocates across the state who work with victims every day.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ellis E. Kiser". The signature is fluid and cursive, with the first name "Ellis" and last name "Kiser" clearly distinguishable.

Ellis E. Kiser, Executive Director  
Montana Board of Crime Control



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## **MONTANA CRIMINAL JUSTICE SYSTEM**

As a crime victim, you will have numerous contacts with the criminal justice system as your case proceeds. This section outlines what you can expect during the investigation and criminal prosecution of your case.

### **Law Enforcement**

A law enforcement officer is likely the first person you will have contact with concerning the investigation of the crime. After the initial work is done, it may be turned over to an investigator. Officers will have to ask for a lot of information and may ask you to write a statement. Such information might seem embarrassing or upsetting, particularly in cases of child sexual abuse, sexual assaults or rapes. The officer may need to go over some of this information several times, adding to your discomfort. However, without it the offender may not be caught or prosecuted. Officers may also need to secure some of your belongings as evidence. You may have these items returned at the end of the case, however, the process is made easier if you ask the officer for a receipt. The investigation may take a lot of work and a lot of your time.

The officer will also help you and direct you to victims' services in your area. Law enforcement officers have received special training in this area at the Law Enforcement Academy. Ask them for help in contacting shelter homes, a victim's assistance counselor or a victim's advocate to be with you during these stressful times. Rape crisis hot lines are also a good way to locate such helpers.

The officer may be able to arrest a suspect at the scene of the crime or that person may be arrested later on a warrant issued by a judge. Sometimes no one is arrested and the case is closed. If someone is arrested the prosecution phase starts to operate. Generally, the suspect is advised of his or her rights, taken to the local jail and booked. At this point, the case is evaluated by the prosecutor, known in Montana as the "county attorney."

### **Prosecution**

The prosecutor is the county attorney or a deputy county attorney who is a member of the county attorney's staff. In certain cases, the prosecutor will be the City Attorney or Deputy City Attorney. The prosecutor represents the public as a whole and not you individually as a victim, although you play an important role as a witness. The prosecutor reviews the evidence to make sure there is enough to obtain a conviction. A defendant (the accused) is presumed innocent until proven guilty. In case of a reasonable doubt as to guilt, the defendant must be found not guilty. Therefore, the prosecutor must be satisfied that there is enough evidence to convince a jury of the defendant's guilt beyond a reasonable doubt. If the prosecutor decides to go forward with the case, charges are filed against the defendant. Several court appearances may be scheduled. A growing number of prosecuting attorneys are employing victim/witness advocates to work in their offices. This advocate is an excellent resource for you as a victim to make sure that you understand the handling of your case as well as to get necessary help and referrals. Check with your prosecuting attorney to see if an advocate is available.

- ▶ **The Initial Appearance** -- The defendant appears in justice's court where the judge reads the charge(s), informs the defendant of the maximum sentence possible, the right to legal counsel and sets bail.

Offenders under the age of 18 are generally handled by the Youth Court and juvenile probation. In cases involving serious crimes, the juvenile could be prosecuted in District Court and would be subject to greater penalties if convicted.

- ▶ **Bail**-- A sum of money or security the defendant must leave with the court as an assurance that, if released, he or she will appear at future court proceedings. Under Montana law, nearly **all** suspects are entitled to bail because they are considered innocent until proven guilty. As a condition for bail, the judge may require that the defendant avoid all contact with you. Ask about an Order of Protection or a Temporary Restraining Order (TRO), to assure that the defendant does not have any contact with you.
- ▶ **Preliminary Examination** -- A hearing at which a judge determines whether sufficient evidence exists to believe the defendant may have committed a crime. You may be asked to testify at this hearing. It is not uncommon for the defendant to waive this hearing, and the case then moves to District Court. A preliminary hearing is not necessary if the prosecutor files charges directly in district court. When evidence is presented at a preliminary hearing, the judge can exclude all other witnesses while the defendant or any witness is testifying.
- ▶ **Arraignment** -- The defendant must plead guilty or not guilty to the charges. If the defendant pleads not guilty, a trial date is set. If the defendant pleads guilty, the right to trial is waived and sentence will be imposed at a later date. The prosecutor and defense attorney may recommend a plea agreement. You have the right to confer with the prosecutor before any plea agreement is finalized.

Between arraignment and trial, the prosecutors and the defense attorneys will be involved in various hearings and pre-trial motions. Each side must disclose to the other what evidence and witnesses it intends to present at the trial. The prosecutor's office or the defense may ask you to provide statements during this time. All statements given by a witness (including statements by the victim) must be disclosed by the prosecutor to the defense.

Trials are typically held before juries of 12 people. At the option of the prosecutor and the defendant, the trial may be held before a judge without a jury. During the trial you may again have to testify in court and recall all the circumstances surrounding the crime. This is your chance to tell your story to the jury about what happened. Please see the list of tips listed later in this section if you are called as a witness in a criminal trial.

- ▶ **Sentencing** -- If the defendant is found guilty, the judge will impose a sentence at a later date. The judge generally will ask for a pre-sentence investigation report prepared by the probation and parole officers.

The purpose of a pre-sentence report is to inform the judge of the defendant's criminal record and social history, the defendant's characteristics, circumstances, needs, and potential for rehabilitation. It also describes the circumstances of the offense and how the offense has harmed the victim, the victim's immediate family, and the community. The pre-sentence report will also detail the amount of monetary loss sustained by the victim as a result of the offense. The pre-sentence report is prepared by a probation or parole officer for the use of the court. It is required by law to be kept confidential, but the prosecutor may disclose the contents to a victim of the offense. You may be contacted by the probation officer who is preparing the report. This is your opportunity to tell the judge how you have been affected by the crime and what your out-of-pocket expenses have been. The judge will read the pre-sentence report and will consider it when deciding what sentence to impose.

The sentence is strictly at the judge's discretion within the range of penalties provided by law. You may or may not agree with what is imposed. In some cases the judge might order the offender to pay restitution to the victim. (See restitution section.) Restitution can cover the cost of property, medical costs, etc. Be sure to keep track of these expenses with receipts, bills and cancelled checks. Ask the prosecuting attorney about restitution and if it would be appropriate in your case.

Once convicted, the offender has the opportunity to appeal to the Montana Supreme Court. The appeal process typically does not involve you as a victim or witness unless the case must be re-tried. This whole process can take anywhere from 30 days to a year or more.

Sooner or later almost all persons convicted of a crime and sent to prison are released. Contact the Montana Department of Corrections in writing if you wish to be notified of the offender's release or any escape from custody.

Remember there are many options for handling your case. A lot depends on whether the offense is a felony (serious) or misdemeanor (less serious) and whether the offender is an adult or a juvenile. The process described above is typical of a felony crime which goes through the entire court process.

It's important that throughout this process, you:

- ▶ Keep in contact with the prosecuting attorney's office and ask questions. You have certain rights as a victim.
- ▶ Use the victim assistance or victim advocate help that is available in your area.
- ▶ You may have to re-visit the uncomfortable, disquieting facts of your victimization several times. Even if you file for victim's compensation, you may be asked again to write out what happened.
- ▶ Your cooperation is needed throughout the process to assure conviction of an offender and to try to prevent others from becoming victims.

## **Tips For Testifying in Court**

If you must give evidence in court or in hearings, discuss with the prosecutor -- before your court appearance -- what you can expect. Listed below are a few pointers:

- ▶ Answer all questions truthfully. Don't exaggerate or shade your testimony. Just tell the facts.
- ▶ Listen carefully to the questions. If you don't understand a question, ask for an explanation.
- ▶ Answer only the question asked. Don't try to say everything at once or give information not asked.
- ▶ Don't guess. Give definite answers to the best of your knowledge.
- ▶ Be prepared, but don't memorize what you have to say.
- ▶ If an attorney objects to a question, don't answer it until the judge tells you to do so.
- ▶ Be calm. Don't lose your cool.
- ▶ Speak clearly and loud enough for the jury to hear.
- ▶ If you have given a written statement, or a taped interview that has been transcribed, ask the prosecutor for a copy before trial so you can refresh your recollections.

Some professionals believe that the courtroom proceeding and the testimony a victim gives is actually healthy and is useful in helping you "get back to normal". This can be particularly true for child victims. Contact a victim's assistance program or mental health center for further information.

## **ORDER OF PROTECTION**

### **What is an Order of Protection?**

An order of protection is an order of court, signed by a judge, for protection of a victim, or a named family member, or other victim of the offense, or a witness to the offense. The order may require the removal of the abuser from your residence; require the transfer of possession of certain property to you (or it may prohibit the abuser from concealing or disposing of any properties); prohibit any threats, harassment, communication or contact whatsoever with you or family members; require the abuser to seek counseling or treatment; or order any other relief considered necessary to provide for the safety and welfare of yourself or other designated family members.

### **Victims Eligible To File A Petition**

You are eligible to file a petition for an order of protection if:

- ▶ You are in reasonable fear of bodily injury by a partner or family member, or if you are a victim of an assault, aggravated assault, intimidation, partner or family member assault, criminal endangerment, negligent endangerment, unlawful restraint, kidnapping, aggravated kidnapping, or arson.
- ▶ You are a victim of stalking, incest, sexual assault, or sexual intercourse without consent, regardless of your relationship to the offender.

You may seek an order of protection even if there are no criminal charges filed and even if you did not report the abuse to law enforcement. The length of time between the abusive incident and your application is irrelevant so long as you meet the requirements for obtaining an order (see below).

If you are under the age of 18, the petition may be filed on your behalf against the abuser by your parent, guardian ad litem, or other representative.

### **Procedure to Obtain An Order of Protection**

You can seek a temporary order of protection by filing a sworn petition in a district, justice's, municipal or city court.

- ▶ If a divorce or custody action is pending in district court, the petition must be filed with that court only, unless the district judge is unavailable or you left the county where the abuse occurred to avoid further abuse.
- ▶ The petition must state that you are in reasonable fear of bodily injury or a victim of one of the offenses listed above, have a relationship to the offender (if required) and you are in danger of harm if the court does not issue a temporary order of protection immediately.

- ▶ If the court agrees with the petition, it will issue a temporary order of protection granting the appropriate relief.
- ▶ A hearing must be conducted within 20 days from the date the court issues a temporary order of protection. At that hearing, the court will determine whether good cause exists for the temporary order to be continued, amended, or made permanent.
- ▶ The offender may request an emergency hearing before the end of the 20-day period by filing an affidavit demonstrating an urgent need for the emergency hearing. The hearing must be set within 3 working days of filing the affidavit.
- ▶ An order of protection applies only to an offender and cannot be made mutually effective. An offender must file a separate petition requesting an order of protection.
- ▶ The petition may be filed either in the county where you currently or temporarily live or where the offender resides or where the abuse occurred. There is no minimum residency requirement. An order of protection may be granted even if you have left the residence or household to avoid abuse. The order is effective throughout the state of Montana and courts and law enforcement officials must enforce all orders of protection issued within the state.

***Will an order of protection issued in another state be enforced?***

- ▶ If properly filed, the order will be enforced in the same manner as an order of protection issued in Montana. You must file a certified copy of the order, along with proof that a copy was served upon the offender, in a Montana court with jurisdiction over orders of protection in the county where you reside.

***Are peace officers informed of the existence of an order of protection?***

- ▶ The courts must send a copy of any order or any extension, modification or termination, with proof of service, to the appropriate law enforcement agencies designated in the order. The agency must ensure that peace officers are aware of the existence and terms of such order.

***What happens when the offender is under the age of 18?***

- ▶ When required, a guardian must be appointed for an offender who is under the age of 18. An order of protection is effective against an offender regardless of age.

***Can an order of protection be appealed?***

- ▶ An order issued by a justice's, municipal, or city court is immediately reviewable by the district court judge upon the filing of a notice of appeal. The district judge may affirm, dissolve, or modify such order. An order issued by a justice, municipal or city court may be removed to district court upon filing a notice of removal.

## **YOUR RIGHTS and WHAT YOU CAN EXPECT FROM THE CRIMINAL JUSTICE SYSTEM**

Since 1985, Montana law has given crime victims certain rights concerning notification and input into the criminal justice system. Legislation passed in 1995 strengthened those rights. If you are a victim of a felony offense or a crime of violence, or if you are a relative of either a child victim or a murder victim, you are entitled to fair treatment under the law.

### **YOUR RIGHT TO INFORMATION**

Victims of major crimes (felonies and other violent crimes such as partner or family member assault) are entitled to receive certain information about the case and about the offender. To make sure you receive proper notification, you need to provide the appropriate agency, in writing, your name, address, and telephone number, or the name, address, and telephone number of the person you have designated to receive the information on your behalf. You may not be eligible to receive some information unless you provide a written request to the proper agency. You also must notify officials of any change of name, address or telephone number. Addresses and phone numbers of criminal justice agencies are included in this handbook for your convenience.

The following agencies and individuals are required to inform victims of major crimes of certain rights and information:

#### **Local Law Enforcement Agencies:**

- ▶ Local victim treatment programs, including medical, housing, counseling, and emergency services available in the community.
- ▶ Name, office address and telephone number of a law enforcement officer assigned to investigate the case.
- ▶ Name, office address and telephone number of the prosecuting attorney.
- ▶ Arrest of a suspect.

#### **Prosecuting Attorney:**

- ▶ The crime with which the suspect has been charged.
- ▶ Release of the suspect from jail pending trial.
- ▶ Date, time, and place of all court proceedings.
- ▶ If the offender is found guilty or pleads guilty, the name, address and telephone number of the probation officer who is preparing the presentence report.
- ▶ The sentence imposed by the court.

- ▶ You also have the right to confer with the prosecutor regarding disposition of the case, including dismissal of the case, release of the defendant pending trial, plea negotiations, or any other arrangement that keeps the case from going to trial. If the case does not go to trial, you have a right to know why not.
- ▶ The prosecutor may provide you with information concerning the investigation unless the information needs to be kept confidential to protect the investigation or the integrity of court proceedings. The prosecutor also may authorize a law enforcement officer to provide this information.
- ▶ If the offender is convicted or pleads guilty, the prosecutor may disclose the contents of the presentence report to you (read about the "Criminal Justice System" to find out more about the presentence report).

#### **Department of Corrections:**

- ▶ Estimated date of the offender's release from confinement in the Montana state prison, if it can reasonably be determined.
- ▶ The offender's release or escape from confinement, a recapture, or the offender's death in prison.
- ▶ Notice prior to release of the offender on furlough or to a work-release program, half-way house, or other community-based program or correctional facility.

#### **Board of Pardons:**

- ▶ Time and place of a parole hearing concerning the offender. If a parole hearing is held, you have the right to submit a statement to the Board of Pardons, which may be kept confidential (see "Your Right To Be Heard," below).
- ▶ A decision of the Board of Pardons granting or denying parole.
- ▶ A decision of the Governor to commute the sentence or to grant executive clemency.

#### **Attorney General:**

- ▶ Court proceedings on appeal of the case, including date, time, and place of any hearing.
- ▶ Decisions of an appellate court.

## **YOUR RIGHT TO FAIR TREATMENT**

Upon your request, a law enforcement official or prosecuting attorney may also:

- ▶ Help you inform your employer that you may have to miss work in order to assist in the prosecution of the case. The law prohibits an employer from disciplining or discharging a victim or a member of the victim's immediate family for participating in criminal proceedings at the prosecutor's request. If you believe you have been unfairly treated by your employer because of your involvement in court proceedings as a victim of crime, you should contact a private attorney. The prosecuting attorney cannot represent you in dealings with your employer.
- ▶ Help you inform creditors that you have suffered serious financial strain as a result of being victimized. Again, however, if you become involved in a civil suit against a creditor, the prosecuting attorney cannot represent you in that case.

## **YOUR RIGHT TO CONFIDENTIALITY**

- ▶ If you request confidentiality, your address, telephone number, or place of employment--or those of your family members--may not be given to anyone except a criminal justice agency, unless necessary to disclose the location of the crime scene or for other law enforcement purposes, or unless disclosure is ordered by the court for good cause.
- ▶ You do not have to answer in court any question asking for your residence address or place of employment, unless the court finds it necessary and orders you to answer.
- ▶ If you are the victim of a sex offense (rape, sexual assault, incest, or indecent exposure), your identity may not be disclosed to the public, unless necessary to disclose the location of the crime scene or for other law enforcement purposes, or unless disclosure is ordered by the court for good cause.

## YOUR RIGHT TO BE HEARD

As a victim of crime, you have the right to give a statement at the following times:

- ▶ You may present a statement in writing before the sentencing hearing or orally under oath at the sentencing hearing, or both, concerning the effects of the crime on you, the circumstances surrounding the crime, the manner in which it was perpetrated, and your opinion regarding the appropriate sentence.
- ▶ If a request is made to adjust or waive payment of any part of any ordered restitution, notice must be given to you of any hearing and you will have an opportunity to make any statement.
- ▶ Before ordering the offender's parole, the board of pardons **must** permit you an opportunity to present a statement concerning the effects of the crime on you, the circumstances surrounding the crime, the manner in which the crime was perpetrated, and your opinion regarding whether the prisoner should be paroled. The board may keep the statement confidential and must consider it along with any other information in determining whether the offender should be paroled.
- ▶ If a condition of release requiring payment of restitution is violated, the Board of Pardons must notify you of the violation prior to any hearing and give you an opportunity to be heard.

## YOUR RIGHT TO RECEIVE RESTITUTION

The law **requires** that the judge order the defendant to pay restitution to the victim as a condition of the sentence, so long as the defendant has the ability to contribute something toward restitution sometime during the period of the sentence. Restitution can cover the cost of your property taken or damaged by the offender, medical expenses, loss of income, expenses reasonably incurred in obtaining ordinary and necessary services that you would have performed had you not been injured by the crime, expenses reasonably incurred in attending court proceedings related to the crime, and reasonable expenses related to funeral and burial or crematory services of a homicide victim. Keep track of those expenses; keep receipts, bills and cancelled checks as proof of medical expenses and repair or replacement costs.

The judge must take into account the offender's ability to pay before ordering restitution. The judge may order return of any property taken from you and, in appropriate circumstances, may order sale of the defendant's assets to help pay restitution. With your consent, the judge may also order an offender to perform services for you or for someone who has provided services for you as a result of the offense.

In most cases, a payment schedule will be set up and supervised by a county restitution officer or probation officer. If the offender fails to make payments, there are legal options to try to get him or her to pay. While restitution is appropriate in some cases, there is no guarantee that you will receive payments in a timely manner--or at all. If the judge finds that the offender will not have the ability to pay restitution, the judge has the option of ordering him or her to perform community service.

You can also try to recover financial losses through a civil suit against the offender, but you must hire your own attorney.

## WHAT THE CRIMINAL JUSTICE SYSTEM EXPECTS FROM YOU

- ▶ We rely on your cooperation to prosecute criminals. Please appear in court at the scheduled times. You may be given a subpoena--a legal document that tells you when to appear in court.
- ▶ You may be questioned before and during a trial by both the prosecutor and the defense attorney. Answer all questions truthfully.
- ▶ Provide all information requested by the prosecuting attorney's office and law enforcement authorities.
- ▶ Let the prosecuting attorney's office know your current address and phone number, and if you have plans to be out of town for any significant period of time.
- ▶ The criminal justice system often seems to operate slowly. We know that victims of crime are anxious to have the case resolved and the matter put behind them. Like you, law enforcement officials want to get the crime solved and see justice served. But you may need to be patient. Putting together a criminal case takes time, and it is important that accuracy and truth not be sacrificed for swiftness.

## **CRIME VICTIM COMPENSATION**

The Victim Compensation Program, administered by the Montana Board of Crime Control, provides compensation to innocent victims for injuries suffered as a direct result of the criminal acts of other persons. The Board also administers the Victims of Crime Act funds and the STOP Violence Against Women Act recently enacted by Congress.

While no amount of compensation can erase the physical and emotional trauma experienced by crime victims, the Compensation Program strives to alleviate the financial burdens victims suffer.

A variety of crime related expenses are compensable under the Montana Crime Victim Compensation Act including:

- ▶ Medical
- ▶ Lost wages
- ▶ Mental Health Counseling for victims and homicide survivors
- ▶ Loss of support for dependents of deceased victims
- ▶ Funeral and burial expenses

*You may contact the Compensation Program at the following address if you would like additional information or need program brochures or applications:*

**Montana Board of Crime Control  
Crime Victim Compensation Program  
303 North Roberts  
Helena, MT 59620  
(406) 444-3653 or 1-800-498-6455**

### **Eligibility Requirements**

To receive compensation for crime related injuries or death an applicant must meet the following criteria:

1. The applicant must be a victim or survivor of a victim who has suffered personal injury or death as a result of:
  - ▶ Criminally injurious conduct of others;
  - ▶ The good faith effort to prevent criminally injurious conduct; or
  - ▶ The good faith effort to apprehend a person reasonably suspected of engaging in criminally injurious conduct.

Crime covered by the program include the following:

- ▶ Homicide
- ▶ Assault
- ▶ Partner or family member assault
- ▶ Sexual assault
- ▶ Child physical and sexual abuse
- ▶ Victims of DUI drivers

2. The victim (or claimant) must report the crime to law enforcement within 72 hours after the crime. In cases involving a sexual offense against a minor, a report must be made to law enforcement or the state agency responsible for the provision of child welfare services within 72 hours of the time an adult is informed of the offense against the minor. If the crime was not reported within the required 72 hour time limit, the claimant must submit, in writing, the reason for the delay. The division may find there is good cause for the failure to report within the time limit and waive the requirement.

Information required for law enforcement includes providing a true and accurate report of the incident, including:

- ▶ the nature of the crime;
- ▶ the location of the crime;
- ▶ the name, description and whereabouts of a suspect, if known; and
- ▶ the names of witnesses.

*The requirement is not met if the victim only provides his/her name and the fact that a crime was committed.*

3. The victim must cooperate with the reasonable requests of law enforcement and prosecuting attorneys in the investigation or prosecution of the crime.

Reasonable cooperation includes, but is not limited to the following:

- ▶ Providing law enforcement with a true and accurate report of the crime;
- ▶ Participating in the investigation of the crime to assist in identification of the suspect(s) as requested;
- ▶ Participating in deposition and trial testimony as requested.

*Reasonable cooperation is determined on a case by case basis taking into consideration the victim's age, physical condition and psychological state, and any compelling health or safety reasons that would jeopardize the well being of the victim.*

4. An application for compensation must be filed within one year of the date of the crime. Compensation involving sexual offenses against minors must be filed within one year after the date the offense was reported to a law enforcement agency or a child welfare agency, or within one year after the day the victim reaches 18 years of age, whichever occurs last. The time for filing a claim may be extended by the division for good cause.

5. The crime for which benefits are sought must have been committed within the state boundaries. The claimant/victim does not need to be a resident of the state of Montana to be eligible to receive benefits. Montana residents injured or killed in a state not allowing for non-resident benefits may be eligible for compensation under the Montana Compensation program.

The Compensation Program will provide benefits to Montana residents who were injured in states which do not have a compensation program. Currently, all 50 states have compensation programs. However, the state of Nevada will not provide benefits to non-residents.

### **Secondary Victims**

For purposes of the Compensation program, a secondary victim is defined as a *family member* of a homicide victim or a child victim of a sexual crime. Mental health benefits are available to the parent, spouse, brother or sister as secondary victims if the primary victim has been awarded benefits. No charges need to be made against the offender in order for benefits to be awarded to a secondary victim. Counseling benefits for secondary victims may not exceed \$2,000 per family member.

### **Claim Denials**

Claims will be denied if the application does not meet the above eligibility criteria. Additionally, the claim may be denied under the following circumstance:

- ▶ Benefits will not be awarded to a claimant who is the offender or an accomplice of the offender or any claimant if the award would unjustly benefit the offender or accomplice.
- ▶ Compensation otherwise payable to a claimant shall be reduced or denied to the extent the compensation benefits payable are or can be recouped from collateral sources.
- ▶ Persons serving a sentence of imprisonment or residing in any other public institution which provides for the maintenance of such person are not entitled to compensation benefits.
- ▶ Compensation may be reduced or denied if the victim contributed to the infliction of death or injury with respect to which the claim is made.

### **Maximum Benefits Allowed**

Compensation benefits to a victim, or dependants of a victim in cases of the victim's death because of injuries suffered due to criminally injurious conduct, may not exceed \$25,000 in the aggregate.

## **Compensation Benefits**

The Compensation Program can provide benefits to eligible victims for the following crime related expenses:

- ▶ Medical care, including dental, prosthetic devices, eye wear or chiropractic services related to injuries of the crime.
- ▶ Crime related mental health counseling. A mental health therapist must be one of the following to receive payment from the crime victims fund:
  - ▷ medical doctor;
  - ▷ licensed clinical psychologist;
  - ▷ licensed social worker;
  - ▷ licensed professional counselor;
  - ▷ mental health center for services of any of the therapists listed in this section.

Payment for mental health counseling is limited to 12 consecutive months or \$2,000, whichever is reached first. Extensions requested by the claimant to the compensation program may be granted after review of the entire course of treatment.

- ▶ Wages lost by the victim due to crime related injuries. No wage loss benefits can be paid for the first week after the crime occurred. However, if loss of wages continues for one week, weekly compensation payments shall be paid retroactively from the date the wage loss began.
- ▶ Loss of support for dependents of deceased victims. Weekly compensation benefits may be paid to the survivors of homicide victims amounting to 66 2/3% of the wages received at the time of the crime. This is subject to a maximum of one-half of the state's average weekly wage.
- ▶ Funeral and burial costs for homicide victims are allowable by the fund up to \$3,500. For homicides committed prior to October 1, 1995, funeral and burial costs are allowed up to \$2,000.

## **Benefit Reductions**

The Compensation Program is the payor of last resort. Compensation benefits are intended to supplement and not replace other programs or benefits that the victim may be eligible to receive.

Compensation benefits will be reduced by the following:

- ▶ Payment received from or on behalf of the person who committed the crime (restitution, or other liable third parties);
- ▶ Payment received from an insurance program (health or auto insurance, workers' compensation, or unemployment benefits); and
- ▶ Payment from other public funds (Medicaid, Medicare, General Assistance, etc.)

## **Restitution**

Compensation benefits will be reduced by the amount of restitution received by the victim at the time a claim is processed for payment. If the offender is ordered to pay restitution but has not yet made payment, the compensation program will pay benefits on behalf of the victim prior to receipt of any restitution paid by the offender.

If restitution is ordered to the victim, but not received by the victim, the compensation program will notify the county/city attorney and the district or city court clerk to direct restitution to the program.

## **Civil Settlements**

It is very important that a claimant filing for victim compensation benefits advise the program of any pending civil suit against the offender. If a civil suit is pending at the time the claim is processed for payment, the victim and his or her attorney are advised that the program has a subrogation interest in the pending civil settlement. The Crime Victim Compensation program is entitled to full subrogation against a judgment or recovery received by the claimant against the offender or a collateral source. If the claimant institutes the action, the division shall pay a proportional share of costs and attorneys' fees if it recovers under its subrogation interest.

## **Insurance**

All crime related bills must be submitted to the victim's insurance carrier for payment determination prior to submission to the compensation program. After insurance benefits have been paid or denied, compensation benefits can then be determined. Compensation benefits can be paid for the victim's out-of-pocket expenses, including any required deductible or co-payment.

## **Public Funds**

Medicaid is also a primary payor to the Crime Victim Compensation program. If the victim is on Medicaid at the time of the crime, Medicaid is the primary payor for medical expenses.

## **Application Process**

To receive compensation benefits the victim, the survivor of a homicide victim, or the parent or guardian of a victim who is a minor must file an **Application for Crime Victim Compensation**.

An application must be filed in writing on the prescribed form. These forms may be obtained from any law enforcement agency, hospitals, victim assistance programs, or by writing the Crime Victim Compensation program at 303 North Roberts, Helena, MT 59620. Application forms may be requested by telephone by calling (406) 444-3653 or 1-800-498-6455 outside of Helena.

All applicants must complete an Authorization to Release Information and Repayment/Subrogation Agreement before benefits can be issued.

### **Verification Process**

On the day an application is received the Crime Victim program will begin to process your claim. Information contained on the application must be verified through law enforcement and other agencies before a decision on the claim can be made.

The staff must first review the law enforcement verification form and investigative report to determine if the claim meets the eligibility criteria imposed by state law.

Additional information may be requested of the applicant. It is extremely important to obtain the requested information and submit it to our office as soon as possible. Any information not received by our office only delays a decision and may compel the staff to put your claim on hold or deny the claim until the required information is submitted.

### **Denial Process**

If the investigator determines the compensation claim does not meet the eligibility criteria, the victim will be notified of the denial of benefits and the statutory basis for the denial. Notice of the denial decision is also sent to the law enforcement agency handling the case, the city/county attorney, victim's attorney (if applicable) and the medical providers.

### **Approval Process**

If the claim does meet the eligibility requirements the victim will be notified that benefits have been awarded. Notice of the award decision is sent to the claimant, the law enforcement agency handling the case, the city or county attorney handling the case, and medical providers listed on the claim form.

### **Supplemental Benefits**

Submission of supplemental bills are subject to a 5-year time limit. Payment cannot be made for medical expenses for treatment obtained more than 5 years after the last date of treatment. On-going crime related expenses will be verified in the same manner as the original expenses and paid as they are received.

### **Appeals Process - Request for Hearing**

The claimant has the right to request an informal hearing within 30 days of a written determination regarding compensability of a claim. The claimant's request must be in writing to the Crime Victim Program stating the action the claimant wishes the division to take and the reason the division should take such action. The Hearing Examiner will notify the victim of the date, time and place scheduled for the hearing. The victim will have an opportunity to provide relevant testimony concerning the claim at the time of the hearing. The hearing may be conducted by telephone. The hearings examiner will issue a proposed order to the Executive Director of the Board of Crime Control for a final order.

## COMMON QUESTIONS AND ANSWERS

► ***Can the victim receive compensation if the offender has been ordered to pay restitution?***

Yes, the victim can apply for compensation if restitution has been ordered. If restitution has been ordered on an approved claim, benefits can still be paid on behalf of the victim prior to any receipt of restitution. The program will advise the county attorney that the victim has been awarded compensation benefits and any expenses not paid by a collateral source such as insurance will be paid by the fund. If the victim has additional expenses not covered by the Compensation Program, such as property damage (not covered under Compensation Program), the victim would continue to receive restitution until fully reimbursed. Any restitution payments received by the victim for the same expenses submitted to the Compensation Program will be deducted from the total compensation payment.

► ***If the victim received compensation can the victim sue the offender for the injuries sustained in the crime?***

Yes, the victim may still sue the offender or other liable third party for the damages caused by the crime. The Compensation Program is entitled to full subrogation if the civil settlement includes payment for the same expenses paid by the Compensation Program.

► ***Can the compensation program pay for attorney fees if the victim sues the offender?***

If the claimant institutes a civil suit against the offender, the division shall pay a proportional share of costs and attorneys' fees if it recovers under its subrogation interest.

► ***Can the secondary victim receive benefits if the primary victim has not qualified for benefits?***

No, in order for a secondary victim to receive compensation benefits, the primary victim must meet the eligibility requirements of the program.

► ***What compensation benefits are available for secondary victims?***

The parents, brothers, sisters, and children of primary victims can receive mental health counseling benefits if the primary victim is either a victim of a homicide or a child victim of a sexual crime.

► ***Does the compensation program pay for stolen or damaged property?***

No, the Compensation Program can not pay for property loss, except for medically necessary items, such as eyeglasses, hearing aids, or prosthetic devices.

- ▶ ***What if the victim needs additional medical care or counseling after compensation has been approved?***

The victim may submit additional crime related bills to the program until the maximum benefit has been paid. If on-going treatment is needed after the claim has been approved, you should submit all bills to your insurance carrier prior to submission to the crime victim program. When you have received the Explanation of Benefits Sheet from your insurance carrier, a copy must be submitted to the compensation program for consideration of payment.

- ▶ ***Should the victim send in copies of medical bills along with the application form?***

Yes, send copies of the bills with the application form. Also submit a copy of the Explanation of Benefits from the insurance company as soon as you receive it. If on-going treatment is needed for injuries of the crime, all bills should be submitted immediately to the insurance company, then forwarded to the compensation program along with the Explanation of Benefits sheet.

- ▶ ***Can the compensation program pay for pain and suffering?***

No, the Compensation Program can not pay for pain and suffering. If you are seeking payment for pain and suffering you should contact a private attorney to initiate a civil action.

- ▶ ***Should the victim wait to file an application for compensation until after the offender has been arrested or convicted?***

No, the victim should apply for compensation as soon as possible after the crime. Compensation is not based upon the arrest or conviction of the offender.

- ▶ ***Can a victim of domestic violence receive compensation if he/she still lives with the offender?***

Yes, domestic violence victims who live with the offender are still eligible to receive compensation, if the other eligibility requirements are met, such as filing a report with law enforcement within 72 hours of the crime.

- ▶ ***Can dependents of homicide victims receive loss of support benefits for children not living with them?***

Yes, loss of support can be awarded for dependents of homicide victims who did not live with the victim if the victim was contributing to the care or support of the dependent. The Compensation Program will ask for verification of the support, such as child support receipts, income tax verification of the dependency or child care expenses.

► ***How long will it take to receive a decision on compensation benefits?***

It takes about six weeks for a victim to receive compensation once an application has been received. Some applications may take longer if the program is waiting for on-going law enforcement information or insurance determinations.

► ***If the victim was intoxicated at the time of the crime can the victim still receive compensation?***

Intoxicated victims are not automatically disqualified from receiving compensation. Intoxication may be taken into consideration to determine if there was a causal connection between the intoxication and the resulting victimization.

► ***What is contribution?***

Contribution is conduct on the part of the victim which may have caused or contributed to the victim's injuries or death and such injuries were reasonably foreseeable at the time of his/her contributing actions. When reviewing information regarding contribution the program considers whether charges are filed against the victim or the suspect, comparable or reasonable force, age of the victim, extent of the injuries suffered, and issues of mutual combat.

► ***If the victim does not wish to press criminal charges can they still receive compensation?***

Yes, victims who choose not to press criminal charges can still be eligible to receive compensation if it is deemed that they reported the crime to law enforcement and continued to cooperate with the reasonable requests of law enforcement and the county attorney. However, if the victim does not press charges and refuses to testify against the defendant, the action of the victim might be considered non-cooperation with law enforcement and prosecution.

► ***Where can more information be obtained about the Compensation Program or other services for crime victims?***

If you want more information about the Compensation Program or local services for victims, please contact your local law enforcement, county attorney, or victim assistance program for assistance. If you would like a brochure that explains the compensation program, or a Crime Victim Handbook, call 444-3653, or 1-800-498-6455.

## NOTES

## **ELDER ABUSE**

Elder abuse is a growing problem in this country. Older citizens are often neglected, kept in isolation, denied proper food or medical care, verbally abused, threatened with removal from their current home, physically restrained, hit, and even beaten by their caretakers.

Elder abuse is a form of family violence which, like spouse and child abuse can occur in any home regardless of income or education levels.

Abused elders often don't want to talk about their troubles. Embarrassment, pride and fear block them from seeking help. Caretakers who aren't coping well with stress may take it out on their families. Stress factors contributing to elder abuse may include one or more of the following:<sup>1</sup>

- ▶ The burden of shouldering the care and costs of an elder;
- ▶ The elder becoming increasingly dependent on the caretaker - physically, emotionally, and economically;
- ▶ Age-related diseases and medications which may alter the elders' personalities and make them difficult to care for;
- ▶ Caretakers' resentment at using up what could be their inheritance to care for the elder;
- ▶ Being mistreated by the parent as a child, which may result in the child mistreating the now frail and dependent parent.

### **Signs of Elder Abuse**

Whenever elders are mistreated, there are two victims; the elder and the caretaker. Both need help. You may suspect abuse, neglect or exploitation if an elder shows one or more of these signs:

- ▶ Talks about being harmed or won't talk when clearly there's been harm done;
- ▶ Repeated injuries;
- ▶ Untreated medical conditions;
- ▶ Inadequate diet;
- ▶ Chemical/alcohol abuse by elder or family member(s);
- ▶ Changes in mental state;
- ▶ Dirty body or clothes;
- ▶ Evidence of puncture wounds, cuts, burns and abrasions or hair pulling;
- ▶ Clusters of bruises or wounds;
- ▶ Frequent change of doctors coupled with signs of injuries not reported on patient's medical history;
- ▶ Unrealistic explanations for condition;
- ▶ Patient taken in for treatment by someone other than caretaker;
- ▶ Difficulty walking or moving, possibly caused by internal injuries;

  
<sup>1</sup>Elder Abuse, Department of Family Services

## Reporting Elder Abuse

If you know or suspect abuse, neglect or exploitation, report it immediately. The law protects you from prosecution if you make your report in good faith. Your name will not be revealed. You may also report without giving your name. If you work where elders or their caretakers come for services (medical, mental health, residential, educational or legal), you must by law report suspicions or knowledge of abuse, neglect or exploitation.

If you yourself are a victim of elder abuse, you may make your report to the Department of Family Services in the community in which you live. If you live in a long-term care facility (nursing home, personal care or retirement home), you may call the Long-Term Care Ombudsman toll-free at **1-800-332-2272**.

Social workers will check out complaints made on behalf of elders who live in the community. State health workers and the Long-Term Care Ombudsman inquire into elder abuse in long-term care facilities.

The social worker may design a service plan to remedy or protect the elder from physical or mental harm. Services which are given directly or arranged for by the social worker can include:

- ▶ **Support in the home:** arranging for home attendants, home-delivered meals, volunteer friendly visitors, home repair and health services.
- ▶ **Placement:** arranging for moves to better living situations, closing up the house and relocating personal possessions.
- ▶ **Community support:** enlisting support from relatives, friends, lawyers, police, landlords, clergy, bankers or community agencies such as senior centers, public health departments and mental health centers.
- ▶ **Health care:** transportation to medical services, arranging for doctor's appointments.
- ▶ **Financial:** income assistance, shopping and consumer counseling, legal consultation to arrange property protection, trusts or conservatorships, advocacy against unscrupulous vendors and bill collectors.
- ▶ **Legal intervention:** full or temporary court guardianship on behalf of extremely abused elders who can't help themselves in order to stop physical or mental abuse (used only as a last resort.)

## Elders' Rights

An elder who is being abused has all the rights of any citizen unless these have been removed by the court or competent jurisdiction. These rights must and will be considered in any plans made to remedy abuse of an elder.

## CHILD ABUSE

Fathers, mothers, and those entrusted with the care of children should love and protect them. But sometimes they don't.

Sometimes they batter and beat them.  
Sometimes they warp and twist their minds.  
Sometimes they sexually abuse them.  
Sometimes they even kill them.<sup>2</sup>

The term "child abuse" can be defined as any behavior directed toward a child by a parent, guardian, caregiver, other family member, or other adult, that endangers or impairs a child's physical or emotional health and development. Child abuse includes four major categories; physical abuse, sexual abuse, emotional abuse and neglect. Child abuse and neglect affect all segments of society and knows no economic, cultural or religious boundaries.

Child abuse and neglect must be discovered and reported before a child can be protected. A disturbing number of child abuse cases go unreported every day. Each form of child abuse can be found among children under the age of 18. *Physical and behavioral* indicators, may provide signs of possible abuse. Physical indicators of child abuse and neglect are usually readily observable. They may be mild or severe, but they involve the child's physical appearance.

Physical, sexual, and emotional abuse and neglect also result in "hidden bruises." The emotional trauma remains long after the physical wounds have healed. Frequently this trauma does not surface until many years later.

Included among the factors which often contribute to child abuse are alcohol and substance abuse, lack of parenting skills, economic difficulties or poverty, homelessness, domestic violence and previous victimization.

An estimated 250,000 to 500,000 children are battered each year by a parent, guardian or close relative. In the United States alone, at least 4,000 children die as a result of physical abuse yearly. At least 80,000 cases of child sexual abuse are reported yearly, with the number of unreported cases of child sexual abuse far greater than the number of reported cases.

The immediate trauma that occurs each time a child is abused or neglected is a serious concern. Child abuse must be detected, reported, and treated as early as possible. The impact of abuse on a child's life can be devastating. Many abused children have trouble establishing close relationships, since they see all other adults as potential abusers. Many adults that were abused as children often become abusing parents.

  
<sup>2</sup>Guidelines for the Identification and Reporting of Child Abuse and Neglect, Department of Family Services, April, 1990.

## **Child Physical Abuse**

**Definition:** Physical abuse of children includes any non-accidental physical injury caused by the child's caretaker. It may include burning, beating, branding and punching. Physical abuse may result from over-discipline or from punishment that is inappropriately harsh considering the child's age or offense.

Listed below are some possible physical indicators of physical abuse.

- ▶ Unexplained bruises and welts on the face, lips or mouth;
- ▶ Unexplained cigarette or cigar burns, especially on the soles of the feet, palms of the hands, back or buttocks;
- ▶ Rope burns on the arms, legs, neck or torso;
- ▶ Unexplained fractures to the skull, nose or facial structure;
- ▶ Fractures at various stages of healing (indicating they occurred at different times);
- ▶ Swollen or tender limbs;
- ▶ Any fracture in a child under the age of two;
- ▶ Constant vomiting.

Behavior can also be a clue to the presence of child physical abuse and neglect. It may be the only clue, especially in an adolescent. Physically abused and neglected children may demonstrate certain "characteristic" behavior. These behavioral indicators may exist independently of or in conjunction with physical ones.

Some of the behaviors which may be associated with physical abuse include the following:

- ▶ A child who is wary of physical contact with adults. Sometimes even shrinking at the touch or approach of an adult.
- ▶ Demonstrates extremes in behavior such as aggressiveness or withdrawal, or behavior which lies outside the range expected for the child's age group.
- ▶ Seems frightened of the parents or caregiver stating he/she is afraid to go home, or is frightened when parents are mentioned.

## Child Sexual Abuse

**Definition:** *Sexual abuse means the commission of sexual assault, sexual intercourse without consent, indecent exposure, deviate sexual conduct, or incest. Practically, sexual abuse includes contact or interaction between a child and an adult where the child is being used for the sexual stimulation of the perpetrator or another person.*

Child sexual abuse can take place within the family, by a parent, step-parent, sibling or other relative; or outside the home, for example, by a friend, neighbor, child care provider, teacher or random molester. However, when the sexual abuse has occurred, the child develops a variety of distressing feelings and thoughts.

No child is psychologically prepared to cope with repeated sexual stimulation. Even a two or three year old, who cannot know that sexual activity is "wrong," can develop problems resulting from the inability to cope with the overstimulation.

The child of five or older who knows and cares for the abuser becomes trapped between affection or loyalty for the person, and the sense that the sexual activities are terribly wrong. If the child tries to break away from the sexual relationship, the abuser may threaten the child with violence or loss of love. When sexual abuse occurs within the family, the child may fear the anger, jealousy or shame of other family members, or be afraid the family will break up if the secret is told.

A child who is the victim of prolonged sexual abuse usually develops low self-esteem, a feeling of worthlessness and an abnormal perspective on sexuality. The child may become withdrawn and mistrustful of adults, and can become suicidal. Some children who have been sexually abused have difficulty relating to others except on sexual terms, or have other serious problems when they reach adulthood.

Often there are no physical signs of child sexual abuse, or signs that only a physician can detect. However, there are some physical indicators of sexual abuse, including:

- ▶ Difficulty in walking or sitting;
- ▶ Torn, stained, or bloody underclothing;
- ▶ Complaints of pain or itching in the genital area;
- ▶ Bruises or bleeding in external genitalia, vaginal or anal area.

Following is a list of behavioral signs that sexually abused children may exhibit:

- ▶ Unusual interest in or avoidance of all things of a sexual nature;
- ▶ Sleep problems, nightmares;
- ▶ Depression or withdrawal from friends or family;
- ▶ Seductiveness;
- ▶ Statements that their bodies are dirty or damaged, or fear that there is something wrong with them in the genital area;
- ▶ Problems in school, refusal to go to school, or delinquency;
- ▶ Secretiveness;
- ▶ Aspects of sexual molestation in drawings, games, fantasies;
- ▶ Unusual aggressiveness;
- ▶ Suicidal behavior;
- ▶ Engage in delinquent acts, or run away.

When a child tells an adult that he or she has been sexually abused, the adult may feel uncomfortable and may not know what to say or do. The following guidelines are for responding to children who have been sexually abused:

- ▶ If a child even hints in a vague way that sexual abuse has occurred, encourage him or her to talk freely. Don't make judgmental comments.
- ▶ Show that you understand and take seriously what the child is saying. Child and adolescent psychiatrists have found that children who are listened to and understood fare much better than those who are not. The response to the disclosure of sexual abuse is critical to the child's ability to resolve the trauma of sexual abuse.
- ▶ Assure the child that he or she did the right thing in telling. A child who is close to the abuser may feel guilty about revealing the secret. The child may feel frightened if the abuser has threatened to harm the child or other family members as punishment for telling the secret.
- ▶ Tell the child that he or she is not to blame for the sexual abuse. Most children in attempting to make sense out of the abuse will believe that somehow they caused it or may even view it as a form of punishment for imagined or real wrongdoing.
- ▶ Offer the child protection, and promise you will promptly take steps to see that the abuse stops.

A supportive, caring response is the first step towards getting help for the child, and re-establishing his or her trust in adults. Report any suspicion of child abuse to your local law enforcement agency. When a child tells an adult that he or she has been sexually abused, the adult must report to law enforcement within 72 hours in order to be eligible for Crime Victim Compensation benefits.

It is natural to want to believe that the abuse never really happened. However, it is extremely rare for a child to lie about sexual abuse. You must believe your child, and you must help your child to deal with the emotional problems he or she may be experiencing.

Your child may be feeling scared, guilty, and ashamed. You, as a parent, or guardian may be feeling the same things, as well as helplessness. Every family member has strong emotional reactions to the abuse, whether their feelings show or not. You should not underestimate your family's need for therapy.

### **Child Emotional Abuse**

Emotional abuse is the most difficult form of child abuse to verify. It includes both verbal assaults and the withholding of positive emotional support. Although scars may be visible to the naked eye, emotional abuse wounds the spirit, frequently leaving its marks for a lifetime.

Victims of emotional child abuse are "hit" every day with the power of words which are demeaning, shaming, threatening, blaming, intimidating, unfairly critical, or sarcastic in nature.

This form of abuse has a highly negative effect on the child's self-confidence and self-esteem. It can effect a child's emotional development resulting in a sense of worthlessness and inadequacy on the child's part.

Some indicators of possible emotional abuse include:

- ▶ The child displays behavior that is extreme, e.g. may be involved in a pattern of lying, stealing, or fighting, or is overly aggressive, and acts out inappropriately.
- ▶ Child may appear defensive, shy, or overly dependent.
- ▶ Child may be verbally abusive to others using the same language and demeaning terms she/he has experienced.

It is important to recognize that emotional/verbal abuse is powerful in its effect on children. Physical abuse is almost always accompanied by emotional abuse.

## **Child Neglect**

Child neglect is the continued failure to provide a child with necessary care and protection including adequate shelter, food, clothing, medical care, etc. Children left without appropriate supervision, especially young children, for extended periods of time are included in child neglect.

### **Indications of possible neglect include:**

- ▶ Child appears poorly nourished, or inadequately clothed.
- ▶ Child appears consistently tired or listless and always seems as though no one cares. Attendance at school may be inconsistent.
- ▶ Child evidences a consistent lack of good hygiene, or an obsession with cleanliness.
- ▶ Child is left alone regularly over long periods of time, or in dangerous situations.
- ▶ Child shows evidence that medical needs are not being met.
- ▶ Child may display an inability to relate well to adults and have trouble forming close friendships.

Keeping children safe is the responsibility of everyone. The more we know about the problem of child abuse the more we can do to prevent it.

Any individual who has reasonable cause to suspect that a child is being abused or neglected should call the **24-hour child abuse and neglect hotline for Montana at 1-800-332-6100**. It is not necessary to reveal your identity. The hot line is also a referral service to direct you to the appropriate agency within your community. They will encourage you to contact your local Family Services office and will also send a referral letter to the Department notifying them that a report has been made. Please refer to the back of this handbook for a listing of Family Service offices in your area.

## FACTS ABOUT BATTERING

Battering is extremely common. The F.B.I. estimates that a woman is battered every fifteen seconds in the United States. In over 95% of domestic assaults, the man is the perpetrator. There are rare cases, however, where a woman batters a man. Battering also occurs in lesbian and gay male relationships. Survivors of abuse in such relationships should know that does not make it less valid or serious.

An extremely small percentage of batterers are mentally ill. The vast majority seem totally normal, and are often charming, persuasive, and rational. The major difference between them and others is that they use force and intimidation to control their partners.

There are doctors, ministers, psychologists, and professionals who beat their wives. Battering happens in rich, white, educated and respectable families. About half of the couples in this country experience violence at some time in their relationship.

Battering is a pattern, a reign of force and terror. Once violence begins in a relationship, it gets worse and more frequent over a period of time. Battering is not just one physical attack. It is a number of tactics (intimidation, threats, economic deprivation, psychological and sexual abuse) used repeatedly. Physical violence is one of those tactics. Experts have compared methods used by batterers to those used by terrorists to brainwash hostages.

Many battered women leave their abusers permanently, and despite many obstacles, succeed in building a life free of violence. Almost all battered women leave at least once. Many women feel that they have "put up with it" for so many years and are uncertain law enforcement can or will help them. The perpetrator may dramatically escalate his violence when a woman leaves (or tries to), because it is necessary for him to reassert control and ownership.

Battering is a socially learned behavior, and is not the result of substance abuse or mental illness. Men who batter frequently use alcohol abuse as an excuse for their violence. They attempt to rid themselves of responsibilities for the problem by blaming it on the effects of alcohol.

In domestic assaults, one partner is beating, intimidating, and terrorizing the other. It is not "mutual combat" or two people in a fist fight. It's one person dominating and controlling the other.

Only the perpetrator has the ability to stop the violence. Many women who are battered make numerous attempts to change their own behavior in the hope that this will stop the abuse. This does not work. Changes in family members' behaviors will not cause or influence the batterer to be non-violent.

Men who batter are usually not violent toward anyone but their wives/partners or their children. At least 70% of men who batter their wives, sexually or physically abuse their children.<sup>3</sup> All children suffer from witnessing their father (or mother's partner) assault their mother. They can control themselves sufficiently to pick a safe target. Men often beat women in parts of their bodies where bruises will not show. Sixty percent of battered women are beaten while they are pregnant, often in the stomach. Many assaults last for hours. Many are planned.

Many women in violent relationships feel trapped by feelings of shame, fear of retaliation, and isolation. Battered women are often financially dependent upon their abuser and therefore more reluctant to leave.

<sup>3</sup>Domestic Violence Project, Inc., Ann Arbor, Michigan

## INDICATIONS OF A BATTERER

*This section describes many of the behaviors that are seen in men who beat their wives or girlfriends. If a person has three or more of these personality traits, there is a strong possibility for physical violence. The more signs a person shows, the more likely that person is a batterer.*

**Jealousy** At the beginning of a relationship, an abuser will always say that his jealousy is a sign of love. But jealousy has nothing to do with love. Instead it's a sign of insecurity and possessiveness. He will question the woman about who she talks to, accuse her of flirting or be jealous of time she spends with family, friends or children.

**Controlling Behavior** At first, the batterer will say that his actions shows his concern for the woman's safety, her need to use her time well, or her need to make good decisions. He will be angry if the woman is "late" coming back from the store or an appointment. He will question her closely about where she went, and the people she saw. As this behavior gets worse, he may not let the woman make personal decisions about the house, her clothing, or her outings. He may keep all the money or even make her ask permission to leave the house or room.

**Quick Involvement** Many battered women dated or knew their abuser for less than six months before they were engaged or living together. He comes on like a whirl-wind claiming "love at first sight", he needs someone desperately, and will pressure the woman to commit to him.

**Unrealistic Expectations** He is very dependent on the woman for all of his needs; he expects her to be the perfect wife, mother, lover, friend. He will say things like "if you love me, I'm all you need-you're all I need".

**Isolation** The man tries to cut the woman off from all resources. If she has men friends she is a "whore;" if she has women friends, she is a lesbian. He accuses people who provide her with support of "causing trouble", he may want to live in the country without a phone, he may not let her use the car, or he may try to keep her from working or going to school.

**Blames Others for His Problems** If he is chronically unemployed, someone is always doing him wrong, out to get him. He may make mistakes and then blame the woman for upsetting him and keeping him from concentrating or doing his job. He will tell the woman she is at fault for almost anything that goes wrong.

**Hypersensitivity** The man is easily insulted, he claims his feelings are "hurt" when he's really very mad, or he takes the slightest set backs as personal attacks. He will "rant and rave" about the injustices of things that have happened to him.

**Cruelty to Animals or Children** This is a man who punishes animals brutally or is insensitive to their pain or suffering. He may expect children to be capable of doing things far beyond their ability (whips a two year old for wetting their diaper) or he may tease children until they cry. Seventy per (70%) of men who beat the women they are with also beat their children.<sup>4</sup> He may not want children to eat at the table or expect them to keep to their room all evening while he is home.

**"Playful" use of Force in Sex** This man may like to throw the woman down and hold her down during sex, he may want to act out fantasies during sex where the woman is helpless. He's letting her know that the idea of "rape" excites him. He may show little concern about whether the woman wants to have sex and use sulking or anger to manipulate her into compliance. He may start having sex with the woman while she is sleeping, or demand sex when she is ill or tired.

**Verbal Abuse** In addition to saying things that are meant to be cruel and hurtful, the man will degrade the woman by cursing her and running down any of her accomplishments. The man will tell her that she's stupid and unable to function without him. This may involve waking her up to verbal abuse and not letting her go to sleep.

**Rigid Sex Roles** A batterer will expect a woman to serve him. He will say she must stay at home, that she must obey him in all things -- even things that are criminal in nature. The abuser will see women as inferior to men, less intelligent, unable to be a whole person without a relationship.

**Dr. Jekyll and Mr. Hyde** Many women are confused by their abuser's "sudden mood changes." They will describe that one minute he's nice and the next minute he explodes. This does not indicate some special "mental problem" or that he's "crazy." Explosiveness and mood swings are typical of men who beat their partners.

**Past Battering** The man may say he has hit women in the past, but they made him do it. The woman may hear from relatives or ex-spouses that the man is abusive. A batterer will beat any woman he is with; situational circumstances do not make a person an abusive personality.

**Threats of Violence** This would include any threats of physical force meant to control the woman. "I'll slap your mouth off", "I'll break your neck", etc. Most men do not threaten their mates. But a batterer will try to excuse this behavior by saying "everybody talks like that."

**Breaking or Striking Objects** This behavior is used as a punishment. The man may beat on tables with his fists, throw objects around or near the woman.

**Any Force During an Argument** This may involve a man holding a woman down, physically restraining her from leaving the room, pushing or shoving.

  
<sup>4</sup>Project for Victims of Family Violence, Fayetteville, Arkansas

## NOTES

## DOMESTIC ABUSE

No one has the right to hit you or threaten you. Under Montana law, a person commits the offense of partner or family member assault if that person (a) purposely or knowingly causes bodily injury to a partner or family member, or (b) purposely or knowingly causes reasonable apprehension of bodily injury in a partner or family member. "Partner" means a spouse, former spouse, persons who have a child in common, and persons who have been or are currently in a dating or ongoing intimate relationship with a person of the opposite sex. "Family members" mean fathers, mothers, children, brothers, sisters, and other past or present family members of a household. These relationships include relationships created by adoption and remarriage including step-children, step-parents, in-laws, and adoptive children and parents.

What has been a closet issue, has now become a topic of national interest. Television programs, newspaper articles and much research in the area of domestic abuse indicates an increasing interest and awareness and the need to make changes.

Some incidents of abuse are more gruesome or more degrading than others, but all of them are terrifying. There are no stereotypes for women who find themselves in a battering relationship. Battering occurs in all socioeconomic classes. They are housewives and they are professionals. Their educational experiences are just as varied. One common characteristic of a battered woman is low self-esteem. Inability to deal with having someone you love and who claims to love you at the same time physically assaulting you, leads to emotional breakdown and immobility. Until battered women learn that their behavior has no relationship to the beatings, many women accept responsibility for the beatings. And by accepting the blame, they stay, trying to make their marriages work.

Some examples of abuse include a slap in the face, a pinch on the cheek or arm, a playful punch, and hair pulling. If these behaviors occur regularly, without respect for the woman's well-being, they are considered battering behavior. In many cases, these minor attacks quickly escalate into major physical assaults. Having struck a woman a first time seems to make it easier for the man to do it again. It is as if a taboo is broken and the behavior, once unleashed, becomes uncontrollable.

Major physical assaults include: slaps and punches to the head and face, kicking, stomping, and punching all over the body, choking to the point of unconsciousness, pushing and throwing across a room, down the stairs, or against objects, forced violent sexual acts, stabbing and mutilation with a variety of objects, including knives and guns.

If you see yourself in any of these situations, you are not alone. In the United States, a woman is beaten every 15 seconds, and 4,000 die each year as a result of domestic violence. One out of two women suffer some form of physical abuse or threat of physical abuse at some point in her marriage or relationship with a man. Of all children coming from violent homes, 60% becomes abusive adults.

In most cases, there is nothing the victim can say or do to make an abuser stop. Taking action to remove yourself and your children from the abusive situation is one way you can end the abuse. In many cases, prosecution is the only way to end the abuse. You must be ready to do something for yourself and your children if you want the threats or beatings to stop! Call your police or sheriff's department and file a complaint. Even if the abuse has gone on for years and you have never reported to law enforcement, call for help now and stop the abuse.

If you are in an abusive relationship, be in a position to leave on short notice.

- ▶ Keep a bag packed with essential clothing and valuables for you and your children. Or leave the clothes in a laundry basket
- ▶ Have important papers readily available - bank accounts, birth certificates for you and your children, marriage license, social security numbers, immunization records, credit or cash cards.
- ▶ Keep some cash hidden. If you leave, immediately withdraw half the balance in any joint checking and savings accounts.
- ▶ Have extra keys for the house and car.
- ▶ Take your children with you, if possible.

## VICTIM ASSISTANCE SERVICES

*The following is a list of services that victim assistance programs may provide to a victim of violence.*

**Crisis Counseling** refers to individual, in-person crisis intervention, emotional support, and guidance and counseling provided by counselors, mental health professionals or peers. Such counseling may occur at the scene of a crime, immediately after a crime, at the first, in-person, contact between a counselor and victim (this would include meeting the victim in such places as an emergency room, a police station, a prosecuting attorney's office, or for the duration of the crisis experience. In the case of survivors of homicide victims or DUI/DWI, counseling may occur months after the victimization.

**Followup Contact** refers to individual emotional support, empathetic listening and guidance for other-than-crisis reactions up to 90 days after the victimization.

**Therapy** refers to intensive professional psychological/psychiatric treatment for individuals, couples, and family members. This includes the evaluation of mental health needs, as well as the actual delivery of therapy by a licensed professional therapist.

**Support Group** refers to the coordination and provision of group treatment activities. This category includes self-help, social support, drop-in groups and community crisis intervention in a group setting.

**Crisis Hotline** typically refers to the operation of a 24-hour telephone service, 7 days a week, that provides counseling, information and referral to victims and survivors.

**Shelter/Safe House** refers to short-term and long-term housing and related support services to victims and members of their family following victimization. Shelter may include Domestic Violence Shelter, private residence or a motel for short term shelter.

**Information and referral** refers to making telephone and in-person contacts with the victim and identifying services offered and support available by the victim assistance program and other community agencies.

**Criminal Justice Support** refers to assisting crime victims in participating in criminal justice proceedings, including transportation to court, child care and escort service.

**Emergency Financial Assistance** refers to locating emergency loans and petty cash; assistance in filing for losses covered by public and private insurance programs, worker's compensation, unemployment benefits, welfare and Medicare; and payment for taxis, food, emergency shelter and clothing.

**Emergency Legal Advocacy** refers to filing Temporary Restraining Orders, injunctions and other protective orders, elder abuse petitions, and child abuse petitions but does not include criminal prosecution, juvenile adjudication or the employment of private attorneys for non-emergency purposes.

**Assistance in Filing Compensation Claims**, including making victims aware of the availability of crime victim compensation, assisting the victim in completing the required forms and in gathering the needed documentation, and making followup contact with the Crime Victims Compensation Unit on behalf of the victim.

**Personal Advocacy** refers to assisting victims in securing rights and services from other agencies, intervening with employers, creditors and others on behalf of the victim and providing other general information on rights and remedies available to the victim.

## **VICTIM ASSISTANCE PROGRAMS**

### **(Alphabetical by City)**

Domestic violence victimizes the entire family. Spouse abuse is often accompanied by physical, sexual or emotional abuse of the children as well. Children can experience serious emotional and behavioral problems as a result of continually witnessing and experiencing abuse. The male child may grow up to become an abuser, and the female child the abused.

*Below is a listing of victim assistance programs in Montana in which women and their children can find safety and restructure their lives toward independence and healing. If you need assistance call one of these programs. They are there to help you. Montana now has a statewide toll-free hotline for domestic violence and sexual assault victims. It is located in Bozeman at the Bozeman Area Battered Womens Network - the phone number is 1-800-655-7867.*

#### **Anaconda**

Anaconda/Deer Lodge Family Enrichment  
400 Main Street #3  
Anaconda, MT 59711 ..... 563-7972

Criminal Justice Victims Advocacy  
Anaconda-Deer Lodge Co. Police Department  
PO Box 518  
Anaconda, MT 59711-0518 ..... 563-5241

#### **Billings**

YWCA Gateway House  
909 Wyoming Avenue  
Billings, MT 59101 ..... 259-8100

Billings Rape Task Force  
1239 North 28th Street  
Billings, MT 59101 ..... 259-6506  
..... Collect Calls Accepted

Horizon Home  
P. O. Box 35500-207  
Billings, MT 59107 ..... 265-6845

Yellowstone County Attorney's Office  
Victim / Witness Program  
Yellowstone County Courthouse  
Billings, MT 59101 ..... 256-2870

U. S. Attorney's Office  
Attn: Beth Binstock  
P. O. Box 1478  
Billings, MT 59101 ..... 657-6101

#### **Bozeman**

Bozeman Area Battered Women's Network  
P.O. Box 752  
Bozeman, MT 59715 ..... 586-4111  
..... Toll Free 1-800-834-8296  
..... Statewide Toll Free 1-800-655-7867

Gallatin County Attorneys Office  
615 South 16th Street  
Bozeman, MT 59715 ..... 582-2145

#### **Browning**

Blackfeet Victim Assistance  
Box 850  
Browning, MT 59417 ..... 338-7921

#### **Butte**

Safe Space/Battered Women's Program ...  
1131 West Copper  
Butte, MT 59703 ..... 782-8511  
..... Toll Free 1-800-479-8511

Butte/Silver Bow County Attorney's Office  
Butte/Silver Bow Victim Assistance  
Butte/Silver Bow Courthouse  
Butte, MT 59701 ..... 723-8262 ext 276

#### **Crow Agency**

Crow Tribe Victim Assistance  
P.O. Box 125  
Crow Agency, MT 59022 ..... 638-2405  
..... or 638-2554  
..... Toll Free 1-800-562-1525

## VICTIM ASSISTANCE PROGRAMS

### **Dillon**

Women's Resource Center of Dillon  
25 East Glendale  
Dillon, MT 59725 ..... 683-6106  
..... Collect Calls Accepted

### **Forsyth**

Rosebud County Attorney's Office  
Victim / Witness Program  
PO Box 69  
Forsyth, MT 59327 ..... 356-2237

### **Fort Benton**

Hi-Line Help for Abused Spouses  
Box 1029  
Fort Benton, MT 59427 ..... 759-5170  
..... Collect Calls Accepted

### **Ft. Belknap**

Ft. Belknap Family Violence Program  
RR1 Box 66  
Harlem, MT 59840 .. 353-2933 or 353-2651

### **Glasgow**

Incest Survivors Victim Group  
P. O. Box 471  
Glasgow, MT 59230 ..... 228-4805

### **Glasgow**

Spouse Abuse Task Force  
Box 471  
Glasgow, MT 59230 ..... 228-4805

### **Glendive**

Dawson County Spouse Abuse  
Box 505  
Glendive, MT 59330 ..... 365-6477

Dawson County Attorney's Office

Victim / Witness Program  
207 West Bell  
Glendive, MT 59330 ..... 365-6477

### **Great Falls**

Victim Witness Assistance Services  
P. O. Box 5021  
Great Falls, MT 59405 . 771-1180 ext 218

Great Falls Mercy Home, Inc.  
P. O. Box 886  
Great Falls, MT 59403 ..... 453-1018

### **Hamilton**

S.A.F.E.  
P. O. Box 534  
Hamilton, MT 59840 ..... 363-4600  
..... Collect Calls Accepted

### **Havre**

Montana Communities United, Inc.  
314 4th Avenue  
Havre, MT 59501 ..... 265-4364

HRDC Domestic Violence and  
Victim / Witness Program  
P.O. Box 1509  
Havre, MT 59501 ..... 265-2222  
..... Collect Calls Accepted

### **Helena**

Friendship Center of Helena, Inc.  
1503 Gallatin  
Helena, MT 59601 ..... 442-6800  
..... Toll Free 1-800-248-3166  
**Sexual Assault & Victim/Witness 443-3360**

### **Kalispell**

Help Net First Call for Help  
Box 8181  
Kalispell, MT 59903 ..... 752-8181  
..... Toll Free 1-800-332-8425

Violence Free Crisis Line  
P. O. Box 1385  
Kalispell, MT 59903-1385 ..... 752-7273  
..... Collect Calls Accepted

## VICTIM ASSISTANCE PROGRAMS

### **Lewistown**

SAVES, Inc.  
P.O. Box 404  
Lewistown, MT 59457 ..... 538-2281  
..... Collect Calls Accepted

### **Libby**

Lincoln County Women's Help Line  
PO Box #2  
Libby, MT 59923 ..... 293-3223  
..... Collect Calls Accepted

### **Livingston**

Park County Attorney's Office  
Victim / Witness Program  
414 Callender Street  
Livingston, MT 59047 ..... 222-6120

### **Missoula**

Missoula Youth Homes  
550 North California - PO Box 7616  
Missoula, MT 59807 ..... 721-2704

Victim Response Unit  
Missoula City Attorney's Office  
Missoula, MT 59801 ..... 523-4630

Y.W.C.A. Domestic Violence and  
Sexual Assault Center  
1130 West Broadway  
Missoula, MT 59802 ..... 543-6691  
..... Crisis Line 542-1944

Sexual Assault Recovery Service  
U of M Student Health Service  
634 Eddy Avenue  
Missoula, MT 59812 ..... 243-6559

Child and Family Resource Council  
P. O. Box 3805  
Missoula, MT 59807 ..... 728-5437

Montana CASA  
PO Box 7433  
Missoula, MT 59801 ..... 542-1208

### **Missoula**

Friends to Youth  
212 West Spruce  
Missoula, MT 59802 ..... 728-2662

Extended Family Services  
1330 South 4th West  
Missoula, MT 59801 ..... 549-0058

### **Plentywood**

Crisis Center for Domestic Violence &  
Sexual Assault  
Box 68  
Plentywood, MT 59254 ..... 385-2529

### **Polson**

Family Crisis Center  
203 Main Street  
Polson, MT 59860 ..... 883-3350  
..... Toll Free 1-800-228-1038

### **Sidney**

Richland Co. Coalition Against  
Domestic Violence  
P. O. Box 822  
Sidney, MT 59270 ..... 482-7421

### **Superior**

Mineral County Help Line  
P. O. Box 142  
Superior, MT 59872 ..... 822-4202  
..... Toll Free 1-800-338-3495

### **Thompson Falls**

Professionals United for Families  
Family Violence / Victim Assistance  
301 Main Street  
Thompson Falls, MT 59873 .... 827-3218

### **Wolf Point**

Ft. Peck/Assiniboine Sioux  
Victim Assistance  
P. O. Box 1133  
Wolf Point, MT 59201 ..... 653-1494

## NOTES

## **INFORMATION ABOUT SEXUALLY TRANSMITTED DISEASES**

Following a sexual assault, you probably have concerns and questions about many subjects. The following is information you need to know about sexually transmitted diseases, or "STD's."<sup>5</sup>

If you do not understand this information, or wish more complete information, ask your physician or another health care professional to assist you.

### ► ***What are sexually transmitted diseases (STD's)?***

Sexually transmitted diseases are diseases you can catch by having sexual contact with someone who has the disease. You may have heard of some of them, and some may be unfamiliar to you. The most well-known STD's include gonorrhea, syphilis, trichomoniasis ("trich"), genital herpes, genital warts, hepatitis B, chlamydia, non-gonococcal urethritis (NGU), and Human Immunodeficiency Virus (HIV). Each of these diseases may be transmitted by sexual contact. Left untreated, some of these STD's can cause serious complications.

### ► ***How do I know if I have been infected?***

The victim should be initially evaluated for STD within 24 hours of the assault, if possible, and evaluation should include the following:

Cultures for *N.gonorrhoeae* and *C. trachomatis* from specimens from any sites of penetration or attempted penetration.

Collection of a blood sample for a serologic test for syphilis and for storage of a serum sample for possible future testing. Serologic testing for HIV and hepatitis B infection should be considered.

- For women, examination of vaginal specimens for *T.vaginalis* and for evidence of bacterial vaginosis (BV).
- Pregnancy test for the evaluation and management of pregnancy risk.

Additional tests may be performed in 14-21 days, to repeat studies. A third visit may be scheduled at 8-12 weeks to repeat initial serologic studies, including tests for antibodies to syphilis and/or hepatitis B, and/or HIV.

### ► ***What is the risk of catching an STD as the result of a sexual assault?***

While any sexual activity involves a risk of getting an STD, certain diseases are more easily acquired than others. Your risk of infection increases if more than one infected person has assaulted you and/or if the same infected person assaults you more than once. Preventive treatment and follow-up testing is important.

<sup>5</sup> Information on STD's provided by the Department of Health and Environmental Sciences, Helena, MT.

► ***If I caught something from the assault, can I give it to my sexual partners?***

Yes. For this reason we recommend that you not have sexual contact where body fluids are exchanged until after you have completed all phases of the evaluation. If you do have sex, the use of condoms by a man will very much reduce the risk of an STD being passed on.

► ***What do I need to know about testing?***

Follow-up testing is available through most physicians. There are also public health facilities in Montana which provide STD testing free of charge. Their locations are listed at the end of this section. Some individuals choose to be tested through these clinics, where the information may not become a part of their general health care or insurance records. The most important thing to remember is that follow-up testing is critical.

► ***Are there symptoms I should watch for?***

Some STD's have no symptoms, so, WITH OR WITHOUT SYMPTOMS, YOU SHOULD TALK TO A PHYSICIAN OR GO TO A TEST SITE WITHIN THREE WEEKS OF THE ASSAULT. Symptoms that may occur include unusual bleeding or discharge, redness, itching, soreness, blisters or sores, or burning with urination.

► ***What about AIDS/HIV?***

With all of the media coverage of AIDS, many sexual assault victims are fearful of catching HIV, the virus which leads to AIDS. It is important to know that AIDS is a difficult disease to catch and the risk resulting from a single sexual penetration is very small. Penetration and some exchange of bodily fluids, particularly blood or semen, are the only way for HIV to be transmitted during a sexual assault. If this did not happen to you, you probably do not need to be tested for HIV.

The most recent information available from the U.S. Centers of Disease Control recommends that sexual assault victims be tested approximately 12 weeks following the assault. This testing will be quite conclusive and most individuals will not need to be tested again. While AIDS is a frightening disease, it is important to remember that there are almost no cases of AIDS which can be traced to a single sexual assault, despite tens of thousands of assaults each year.

► ***Can I find out if the offender has HIV or other diseases?***

Montana law does allow victims of sexual assault to request testing of convicted offenders. Finding out information about the individual who sexually assaulted you is not the best way of predicting whether you may have contracted a disease. The nature of the assault, the stage of any disease, your own immunity and other factors make your own test result much more important than the results of any tests on an offender.

► ***How can I get more information?***

If you have questions or concerns about STD's ask your physician or your local health department. For more information about testing, contact one of the STD clinics listed below. Always seek expert medical advice if you believe that you may contracted an STD.

## MONTANA STD CLINICS

### City-County Health Departments

* Billings .....	256-6821
* Great Falls .....	761-1190
* Helena .....	443-2584
* Kalispell .....	756-5684
* Missoula .....	523-4750

### Family Planning Clinics

Anaconda .....	563-7861
* Bozeman .....	587-0681
Butte .....	723-6507
Dillon .....	683-4771
Havre .....	265-6744
Helena .....	442-3830
* Lewistown .....	538-6291
Miles City .....	232-3307

### Planned Parenthood

Billings .....	656-9980
Billings .....	248-2373
Great Falls .....	454-3431
Missoula .....	728-5490
Montana AIDS Hotline .....	1-800-233-6668
National AIDS Hotline .....	1-800-342-2437
National STD Hotline .....	1-800-227-8922

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*\* These clinics are also HIV counseling/testing sites supported by MDHES AIDS Program in addition to:*

Butte/Silverbow Health Dept .....	723-6507
Dawson County Health Dept .....	365-5213
Roosevelt County Health Dept. ....	653-1590
Hill County Health Dept .....	265-5481

## NOTES

**POLICE DEPARTMENTS**  
**(Alphabetical by City)**

**Anaconda**

Anaconda/Deer Lodge Police Department  
P.O. Box 518  
Anaconda, MT 59711 ..... 563-5241

**Baker**

Baker Police Department  
P.O. Box 466  
Baker, MT 59313 ..... 778-2151

**Belgrade**

Belgrade Police Department  
88 North Broadway  
Belgrade, MT 59714 ..... 388-4262

**Belt**

Belt Police Department  
City Hall  
Belt, MT 59412 ..... 277-4107

**Billings**

Billings Police Department  
P.O. Box 1554  
Billings, MT 59103 ..... 657-8200

**Boulder**

Boulder Police Department  
P.O. Box 588  
Boulder, MT 59632 ..... 225-3694

**Bozeman**

Bozeman Police Department  
P.O. Box 640  
Bozeman, MT 59715 ..... 586-3311

**Bridger**

Bridger Police Department  
PO Box 368  
Bridger, MT 59014 ..... 662-3677

**Browning**

Browning Police Department  
Box 880  
Browning, MT 59417 ..... 338-5455

**Cascade**

Cascade Police Department  
Box 58  
Cascade, MT 59421 468-2311 or 468-2671

**Chinook**

Chinook Police Department  
P.O. Box 1177  
Chinook, MT 59523 ..... 357-3170

**Choteau**

Choteau Police Department  
P.O. Box X  
Choteau, MT 59422 ..... 466-2510

**Circle**

Circle Police Department  
P.O. Box Drawer Q  
Circle, MT 59215 ..... 485-3405

**Columbia Falls**

Columbia Falls Police Department  
Drawer G  
Columbia Falls, MT 59912 ..... 892-3234

**Columbus**

Columbus Police Department  
P.O. Box 575  
Columbus, MT 59019 ..... 322-5313

**Conrad**

Conrad Police Department  
411 1/2 South Main  
Conrad, MT 59425 ..... 278-5723

## POLICE DEPARTMENTS

### **Cut Bank**

Cut Bank Police Department  
113 East Main  
Cut Bank, MT 59427 ..... 873-2288

### **Darby**

Darby Police Department  
P.O. Box 37  
Darby, MT 59829 .. 821-3753 or 821-3116

### **Deer Lodge**

Deer Lodge Police Department  
300 Main  
Deer Lodge, MT 59722 ..... 846-1650

### **Dillon**

Dillon Police Department  
125 North Idaho  
Dillon, MT 59725 ..... 683-2333

### **Drummond**

Drummond Police Department  
PO Box 275  
Drummond, MT 59832 ..... 288-3448

### **East Helena**

East Helena Police Department  
7 East Main  
East Helena, MT 59635 ..... 227-8686

### **Ekalaka**

Ekalaka Police Department  
P.O. Box 338  
Ekalaka, MT 59324 ..... 775-8731

### **Eureka**

Eureka Police Department  
P.O. Box 382  
Eureka, MT 59917 ..... 296-2121

### **Fairfield**

Fairfield Police Department  
P.O. Box 8  
Fairfield, MT 59436 ..... 467-2230

### **Fairview**

Fairview Police Department  
P.O. Box 246  
Fairview, MT 59221 ..... 747-5531

### **Fort Benton**

Fort Benton Police Department  
P.O. Box 8  
Fort Benton, MT 59442 ..... 622-5494

### **Fort Peck**

Fort Peck Police Department  
PO Box 310  
Fort Peck, MT 59223 ..... 526-3220

### **Fromberg**

Fromberg Police  
P.O. Box 236  
Fromberg, MT 59029  
..... 668-7383 or 668-7680

### **Glasgow**

Glasgow Police Department  
501 Court Square #10  
Glasgow, MT 59230 ..... 228-4333

### **Glendive**

Glendive Police Department  
P.O. Box 1372  
Glendive, MT 59330 ..... 365-2365

### **Great Falls**

Great Falls Police Department  
P.O. Box 5021  
Great Falls, MT 59403 ..... 771-1180

### **Hamilton**

Hamilton Police Department  
223 South 2nd Street  
Hamilton, MT 59840 ..... 363-2100

### **Harlem**

Harlem Police Department  
P.O. Box 485  
Harlem, MT 59526 ..... 353-2261

## POLICE DEPARTMENTS

### Havre

Havre Police Department  
520 - 4th Street  
Havre, MT 59501 ..... 265-4361

### Helena

Helena Police Department  
221 Breckenridge  
Helena, MT 59601 ..... 447-8479

### Hot Springs

Hot Springs Police Department  
P.O. Box 359  
Hot Springs, MT 59845 ..... 741-3314

### Joliet

Joliet Police Department  
P.O. Box H  
Joliet, MT 59041 ..... 962-3133

### Kalispell

Kalispell Police Department  
Drawer 1997  
Kalispell, MT 59903 ..... 758-7780

### Laurel

Laurel Police Department  
215 West 1st  
Laurel, MT 59044 ..... 628-8737

### Lewistown

Lewistown Police Department  
305 West Watson  
Lewistown, MT 59457 ..... 538-3413

### Livingston

Livingston Police Department  
P.O. Box 897  
Livingston, MT 59047 ..... 222-2050

### Manhattan

Manhattan Police Department  
P.O. Box 96  
Manhattan, MT 59741  
..... 585-1475 or 585-1480

### Miles City

Miles City Police Department  
1010 Main  
Miles City, MT 59301 ..... 232-2237

### Missoula

Missoula Police Department  
435 Ryman  
Missoula, MT 59802 ..... 523-4777

### Opheim

Opheim Police Department  
P.O. Box 14  
Opheim, MT 59250 ..... 762-3355

### Pinesdale

Pinesdale Police Department  
City Hall - Box 644  
Pinesdale, MT 59841 ..... 363-3033

### Plains

Plains Police Department  
P. O. Box 115  
Plains, MT 59859 ..... 826-3411

### Plentywood

Plentywood Police Department  
205 W 1st Ave, Box 1  
Plentywood, MT 59254 ..... 765-2490

### Polson

Polson Police Department  
P. O. Box 238  
Polson, MT 59860 ..... 883-2131

### Poplar

Poplar Police Department  
City Offices - PO Box 972  
Poplar, MT 59255 ..... 768-3711

### Red Lodge

Red Lodge Police Department  
P. O. Box 9  
Red Lodge, MT 59068 ..... 446-1313

## POLICE DEPARTMENTS

### **Ronan**

Ronan Police Department  
206 Adams Street SW  
Ronan, MT 59864 ..... 676-0221

### **Sidney**

Sidney Police Department  
110 2nd Avenue N.W.  
Sidney, MT 59270 ..... 482-2210

### **St. Ignatius**

St. Ignatius Police Department  
P. O. Box 99  
St. Ignatius, MT 59865 ..... 745-3881

### **Stevensville**

Stevensville Police Department  
P. O. Box 37  
Stevensville, MT 59870 ..... 777-3011

### **Terry**

Terry Police Department  
City Hall  
Terry, MT 59349 ..... 637-5411

### **Thompson Falls**

Thompson Falls Police Department  
P. O. Box 99  
Thompson Falls, MT 59873 .... 827-3557

### **Three Forks**

Three Forks Police Department  
P. O. Box 187  
Three Forks, MT 59752 ..... 285-3762

### **Troy**

Troy Police Department  
PO Box 823  
Troy, MT 59935 ..... 295-4111

### **West Yellowstone**

West Yellowstone Police Department  
P. O. Box 579  
West Yellowstone, MT 59758 .. 646-7600

### **Whitefish**

Whitefish Police Department  
131 Baker Avenue  
Whitefish, MT 59937 ..... 863-2420

### **Whitehall**

Whitehall Police Department  
P. O. Box 11  
Whitehall, MT 59759 ..... 287-3914

### **Wolf Point**

Wolf Point Police Department  
201 4th Avenue South  
Wolf Point, MT 59201 ..... 653-1061

**COUNTY SHERIFF DEPARTMENTS**  
(Alphabetical by County)

**Beaverhead County**

2 S. Pacific #16  
Dillon, MT 59725 ..... 683-2383

**Big Horn County**

Big Horn Co. Courthouse  
121 W. Bell  
Hardin, MT 59034 ..... 665-1503

**Blaine County**

Blaine Co. Courthouse  
P. O. Box 8  
Chinook, MT 59523 ..... 357-3260

**Broadwater County**

Broadwater Co. Courthouse  
125 North Walnut  
Townsend, MT 59644 ..... 266-3441

**Butte/Silver Bow County**

120 South Idaho  
Butte, MT 59701 ..... 782-4224

**Carbon County**

Carbon Co. Courthouse  
P. O. Box 220  
Red Lodge, MT 59068 ..... 446-1234

**Carter County**

Carter Co. Courthouse  
P. O. Box 423  
Ekalaka, MT 59324 ..... 775-8743

**Cascade County**

Cascade Co. Courthouse  
325 Second Avenue North  
Great Falls, MT 59401 ..... 454-6820

**Chouteau County**

Chouteau Co. Courthouse  
P. O. Box 459  
Fort Benton, MT 59442 ..... 622-5451

**Custer County**

Custer Co. Courthouse Annex  
Miles City, MT 59301 ..... 233-3320

**Daniels County**

Daniels Co. Courthouse  
P. O. Box 392  
Scobey, MT 59263 ..... 487-2691

**Dawson County**

Dawson Co. Courthouse  
207 West Bell  
Glendive, MT 59330 ..... 365-5291

**Deer Lodge County**

Deer Lodge Law Enforcement Center  
P.O. Box 518  
Anaconda, MT 59711 ..... 563-5241

**Fallon County**

Fallon Co. Courthouse  
P. O. Box 899  
Baker, MT 59313 ..... 778-2879

**Fergus County**

Fergus Co. Courthouse  
P. O. Box 180  
Lewistown, MT 59457 ..... 538-3415

**Flathead County**

Flathead Co. Courthouse  
800 South Main  
Kalispell, MT 59901 ..... 758-5585

**Gallatin County**

Law & Justice Center  
615 South 16th Avenue  
Bozeman, MT 59715  
..... 582-2100 or 582-2125

**Garfield County**

Garfield Co. Courthouse  
Jordan, MT 59337 ..... 557-2540

COUNTY SHERIFF'S DEPARTMENT

**Glacier County**

Glacier Co. Courthouse  
502 East Main  
Cut Bank, MT 59427 ..... 873-2711

**Golden Valley County**

Golden Valley Co. Courthouse  
P. O. Box 7  
Ryegate, MT 59074 ..... 568-2321

**Granite County**

Granite Co. Courthouse  
P. O. Box 188  
Philipsburg, MT 59858 ..... 859-3251

**Hill County**

Hill Co. Courthouse  
P. O. Box 176  
Havre, MT 59501 ..... 265-2512

**Jefferson County**

Jefferson Co. Courthouse  
P. O. Box 588  
Boulder, MT 59632 ..... 225-3323

**Judith Basin County**

Judith Basin Co. Courthouse  
P. O. Box 130  
Stanford, MT 59479 ..... 566-2212

**Lake County**

106 - 4th Avenue East  
Polson, MT 59860 ..... 883-7279

**Lewis & Clark County**

Law Enforcement Center - 221 Breckenridge  
Helena, MT 59601 ..... 447-8243

**Liberty County**

Liberty Co. Courthouse  
P. O. Box K  
Chester, MT 59522 ..... 759-5171

**Lincoln County**

Lincoln Co. Courthouse  
512 California Avenue  
Libby, MT 59923 ..... 293-4112

**Madison County**

Madison Co. Courthouse  
P. O. Box 276  
Virginia City, MT 59755 ..... 843-5301

**McCone County**

McCone Co. Courthouse  
P. O. Box 201  
Circle, MT 59215 ..... 485-3405

**Meagher County**

Meagher Co. Courthouse  
P. O. Box 449  
White Sulph. Springs, MT 59645 . 547-3397

**Mineral County**

Mineral Co. Courthouse  
P. O. Box 99  
Superior, MT 59872 ..... 822-4861

**Missoula County**

Missoula Co. Courthouse  
201 West Pine  
Missoula, MT 59801 .. 721-5700 ext 3323

**Musselshell County**

Musselshell Co. Courthouse  
820 Main Street  
Roundup, MT 59072 ..... 323-1402

**Park County**

Park Co. Courthouse  
Box 443, 414 East Callendar  
Livingston, MT 59047 ..... 222-4172

**Petroleum County**

Petroleum Co. Courthouse  
Winnett, MT 59087 ..... 429-5551

**Phillips County**

Phillips Co. Courthouse  
P. O. Box 909  
Malta, MT 59538 ..... 654-2350

**Pondera County**

20 4th Avenue SW  
Conrad, MT 59425 ..... 278-7601

## COUNTY SHERIFF'S DEPARTMENT

### **Powder River County**

Powder River Co. Courthouse  
P. O. Box 71  
Broadus, MT 59317 ..... 436-2333

### **Powell County**

Powell Co. Courthouse  
313 4th Street  
Deer Lodge, MT 59722 ..... 846-3680

### **Prairie County**

Prairie Co. Courthouse  
P. O. Box 126  
Terry, MT 59349 ..... 637-5738

### **Ravalli County**

Ravalli Co. Courthouse  
P. O. Box 5022  
Hamilton, MT 59840 ..... 363-3033

### **Richland County**

Law Enforcement Center  
110 - 2nd Avenue, N.W.  
Sidney, MT 59270 ..... 482-2919

### **Roosevelt County**

Roosevelt Co. Courthouse  
P. O. Box 280  
Wolf Point, MT 59201 ..... 653-1061

### **Rosebud County**

Rosebud Co. Courthouse  
P. O. Box 85  
Forsyth, MT 59327 ..... 356-2715

### **Sanders County**

Sanders Co. Courthouse  
P. O. Box 910  
Thompson Falls, MT 59873 .... 827-3584

### **Sheridan County**

Sheridan Co. Courthouse  
Laurel Avenue  
Plentywood, MT 59254 ..... 765-1200

### **Stillwater County**

Stillwater Co. Courthouse  
P. O. Box 729  
Columbus, MT 59019 ..... 322-5326

### **Sweet Grass County**

Sweet Grass Co. Courthouse  
P. O. Box 567  
Big Timber, MT 59011 ..... 932-5143

### **Teton County**

Teton Co. Courthouse  
P. O. Box 429  
Choteau, MT 59422 ..... 466-5781

### **Toole County**

Toole Co. Courthouse  
P. O. Box 550  
Shelby, MT 59474 ..... 434-5585

### **Treasure County**

Treasure Co. Courthouse  
P. O. Box 511  
Hysham, MT 59038 ..... 342-5211

### **Valley County**

Valley Co. Courthouse  
501 Court Square #10  
Glasgow, MT 59230 ..... 228-4333

### **Wheatland County**

Wheatland Co. Courthouse  
P. O. Box 757  
Harlowton, MT 59036 ..... 632-5614

### **Wibaux County**

Wibaux Co. Courthouse  
P. O. Box 322  
Wibaux, MT 59353 ..... 795-2415

### **Yellowstone County**

Yellowstone Co. Courthouse  
P.O. Box 35017  
Billings, MT 59101 ..... 256-2929

## NOTES

**COUNTY ATTORNEY OFFICES**  
**(Alphabetical by County)**

**Beaverhead County**

Beaverhead Co. Courthouse  
Dillon, MT 59725 ..... 683-4306

**Big Horn County**

Big Horn County Courthouse  
PO Drawer H  
Hardin, MT 59034 ..... 665-2255

**Blaine County**

Blaine County Courthouse  
P. O. Box 1567  
Chinook, MT 59523 ..... 357-3220

**Broadwater County**

Broadwater County Courthouse  
P. O. Box 96  
Townsend, MT 59644 ..... 266-3444

**Butte/Silver Bow County**

Butte/Silver Bow Courthouse  
Butte, MT 59701 ..... 723-8262

**Carbon County**

Carbon County Courthouse  
Red Lodge, MT 59068 ..... 466-3455

**Carter County**

Carter County Courthouse  
Ekalaka, MT 59324 ..... 775-6655

**Cascade County**

Cascade County Courthouse  
Great Falls, MT 59401 ..... 454-6750

**Chouteau County**

Chouteau County Courthouse  
Fort Benton, MT 59442 ..... 622-3246

**Custer County**

Custer County Courthouse  
1010 Main  
Miles City, MT 59301 ..... 233-3310

**Daniels County**

Daniels County Courthouse  
PO Box 455  
Scobey, MT 59263 ..... 487-2641

**Dawson County**

Dawson County Courthouse  
215 S. Kendrick  
Glendive, MT 59330 ..... 365-2532

**Deer Lodge County**

Deer Lodge County Courthouse  
800 South Main  
Anaconda, MT 59711 .. 563-8421 ext 235

**Fallon County**

Fallon County Courthouse  
Baker, MT 59313 ..... 778-2406

**Fergus County**

Fergus County Courthouse  
Lewistown, MT 59457 ..... 538-8127

**Flathead County**

Flathead County Courthouse  
Kalispell, MT 59901 ..... 758-5630

**Gallatin County**

Gallatin County Law & Justice Center  
615 South 16th Avenue  
Bozeman, MT 59715 ..... 582-2145

**Garfield County**

Garfield County Courthouse  
Jordan, MT 59337 ..... 557-2480

**Glacier County**

Glacier County Courthouse  
Cut Bank, MT 59427 ..... 873-2277

## COUNTY ATTORNEY OFFICES

### **Golden Valley County**

Golden Valley Co Courthouse  
PO Box 49  
Ryegate, MT 59074 ..... 568-2272

### **Granite County**

Granite County Courthouse  
Philipsburg, MT 59858 ..... 859-3541

### **Hill County**

Hill County Courthouse  
PO Box 912  
Havre, MT 59501 ..... 265-4364

### **Jefferson County**

Jefferson County Courthouse  
Boulder, MT 59632 ..... 225-4251

### **Judith Basin County**

Judith Basin County Courthouse  
Stanford, MT 59479 ..... 566-2511

### **Lake County**

Lake County Courthouse  
Polson, MT 59860 ..... 883-7245

### **Lewis & Clark County**

Lewis & Clark County Courthouse  
228 Broadway  
Helena, MT 59601 ..... 447-8221

### **Liberty County**

Liberty County Courthouse  
Chester, MT 59522 ..... 759-5174

### **Lincoln County**

Lincoln County Courthouse  
Libby, MT 59923 ..... 293-7781

### **Madison County**

Madison County Courthouse  
PO Box 36  
Virginia City, MT 59755 ..... 843-5353

### **McCone County**

McCone County Courthouse  
Circle, MT 59215 ..... 485-2952

### **Meagher County**

Meagher County Courthouse  
White Sulphur Springs, MT 59645  
..... 547-3347

### **Mineral County**

Mineral County Courthouse  
Superior, MT 59872 ..... 822-4844

### **Missoula County**

Missoula County Courthouse  
Missoula, MT 59801 .. 721-5700 ext 3246

### **Musselshell County**

Musselshell County Courthouse  
Roundup, MT 59072 ..... 323-1815

### **Park County**

Park County Courthouse  
Livingston, MT 59047 ..... 222-4150

### **Petroleum County**

Petroleum County Courthouse  
Winnett, MT 59087 ..... 538-9272

### **Phillips County**

Phillips County Courthouse  
Malta, MT 59538 ..... 654-1256

### **Pondera County**

Pondera County Courthouse  
Conrad, MT 59425 ..... 278-7681

### **Powder River County**

Powder River County Courthouse  
Broadus, MT 59317 ..... 436-2365

### **Powell County**

Powell County Courthouse  
Deer Lodge, MT 59722 ..... 846-3680

## COUNTY ATTORNEY OFFICES

### **Prairie County**

Prairie County Courthouse  
Terry, MT 59349 ..... 637-2160

### **Ravalli County**

Ravalli County Courthouse  
Hamilton, MT 59840 ..... 363-4440

### **Richland County**

Richland County Courthouse  
201 West Main  
Sidney, MT 59270 ..... 482-2505

### **Roosevelt County**

Roosevelt County Courthouse  
Wolf Point, MT 59201 ..... 653-2991

### **Rosebud County**

Rosebud County Courthouse  
Forsyth, MT 59327 ..... 356-2236

### **Sanders County**

Sanders County Courthouse  
Thompson Falls, MT 59873 .... 827-4315

### **Sheridan County**

Sheridan County Courthouse  
Plentywood, MT 59254 ..... 765-1212

### **Stillwater County**

Stillwater County Courthouse  
38 North 4th  
Columbus, MT 59019 ..... 322-4333

### **Sweet Grass County**

Sweet Grass County Courthouse  
Big Timber, MT 59011 ..... 932-4376

### **Teton County**

Teton County Courthouse  
Choteau, MT 59422 ..... 466-2860

### **Toole County**

Toole County Courthouse  
206 Main  
Shelby, MT 59474 ..... 434-5417

### **Treasure County**

Treasure County Courthouse  
Hysham, MT 59038 ..... 342-5546

### **Valley County**

Valley County Courthouse  
501 Court Square #20  
Glasgow, MT 59230 .... 228-8221 ext 87

### **Wheatland County**

Wheatland County Courthouse  
Harlowton, MT 59036 ..... 632-5651

### **Wibaux County**

Wibaux County Courthouse  
Wibaux, MT 59353  
..... 795-2481 ext 108

### **Yellowstone County**

Yellowstone County Courthouse  
Billings, MT 59101 ..... 256-2870

## NOTES

**DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES  
FAMILY SERVICES OFFICES**

**Beaverhead County**

Family Services  
2 South Pacific CL#9  
Dillon, MT 59725 ..... 683-4266

**Big Horn County**

Family Services  
Drawer H - Courthouse  
Hardin, MT 59034 ..... 665-1110

**Blaine County**

Family Services  
Box 398  
Chinook, MT 59523 ..... 357-2848

**Broadwater County**

Family Services  
**Worker** is based in Helena  
Townsend, MT 59644 ..... 266-5580  
Helena, MT 59601 ..... 444-2030

**Butte/Silver Bow County**

Family Services  
700 Casey Street  
Butte, MT 59701 ..... 496-4950

**Carbon County**

Family Services  
206 N. Broadway  
Red Lodge, MT 59068 ..... 446-3729

**Carter County**

Family Services  
10 West Fallon  
Baker, MT 59313 ..... 778-2883 ext 16

**Cascade County**

Family Services  
1601 2nd Avenue North  
Great Falls, MT 59401 ..... 771-8580

**Choteau County**

Family Services  
1020 13th Street  
Fort Benton, MT 59442 ..... 622-5414

**Daniels County**

Family Services  
P. O. Box 413  
Plentywood, MT 59254 ..... 765-1770

**Dawson County**

Family Services  
207 West Bell  
Glendive, MT 59330 ..... 365-4963

**Deer Lodge County**

Family Services  
307 Park, Room 204  
Anaconda, MT 59711 ..... 563-3448

**Fallon County**

Family Services  
10 West Fallon  
Baker, MT 59313 ..... 778-2883 ext 16

**Fergus County**

Family Services  
300 1st Avenue North, Suite 201  
Lewistown, MT 59457 ..... 538-7731

**Flathead County**

Family Services  
2282 Highway 93 South  
Kalispell, MT 59901 ..... 755-5950

**Gallatin County**

Family Services  
220 West Lamme  
Bozeman, MT 59715 ..... 585-9984

## FAMILY SERVICES OFFICES

### Glacier County (Browning)

Family Services  
Drawer S  
Browning, MT 59417 ..... 338-5171

### Glacier County (Cut Bank)

1210 East Main  
Cut Bank, MT 59427 ..... 873-5534

### Hill County

Family Services  
314 4th Avenue  
Havre, MT 59501 ..... 265-1233

### Jefferson County

Family Services  
P. O. Box 836  
Boulder, MT 59632  
..... 225-4251 ext 48 (Tues.and Wed.)  
..... or 444-2030 (Thurs. - Mon.)

### Lake County

Family Services  
106 1st Street East, Suite 2  
Polson, MT 59860 ..... 883-3828

### Lewis & Clark County

Family Services  
316 North Park  
Helena, MT 59624 ..... 444-2030

### Liberty County

Family Services  
Liberty County Courthouse  
Chester, MT 59522 ..... 759-5603

### Lincoln County

Family Services  
117 Commerce Way  
Libby, MT 59923 ..... 293-3757

### Madison County

Family Services  
2 South Pacific CL#9  
Dillon, MT 59725 ..... 683-4266

### McCone County

Family Services  
221 5th Street S.W  
Sidney, MT 59270 ..... 482-1903

### Mineral County

Family Services  
Box 626  
Superior, MT 59872 ..... 822-4809

### Missoula County

Family Services  
610 Wood Street  
Missoula, MT 59802 ..... 523-4100

### Musselshell County

Family Services  
26 Main Street  
Roundup, MT 59072 ..... 323-2107

### Phillips County

Family Services  
P. O. Box 1339  
Malta, MT 59538 ..... 654-2252

### Pondera County

Family Services  
20 4th Avenue S.W.  
Conrad, MT 59425 ..... 278-7681 ext 46

### Powell County

Family Services  
409 Missouri  
Deer Lodge, MT 59722 ..... 846-3680

### Prairie County

Family Services  
207 West Bell  
Glendive, MT 59339 ..... 365-4963

### Ravalli County

Family Services  
210 North 2nd  
Hamilton, MT 59840 ..... 363-1961

## FAMILY SERVICES OFFICES

### **Roosevelt County**

Family Services  
400 2nd Ave. South  
Wolf Point, MT 59201 ..... 653-3520

### **Rosebud County**

Family Services  
1093 Main Street  
Forsyth, MT 59327 ..... 356-7918

### **Sheridan County**

Family Services  
P. O. Box 413  
Plentywood, MT 59254 ..... 765-1770

### **Stillwater County**

Family Services  
430 A Street  
Columbus, MT 59019 ..... 322-4821

### **Sweet Grass County**

Family Services  
301 West First  
Big Timber, MT 59011 ..... 932-5267

### **Teton County**

Family Services  
18 1st Street N.W.  
Choteau, MT 59422 ..... 466-5592

### **Toole County**

Family Services  
Toole County Courthouse  
Shelby, MT 59474 ..... 434-5022

### **Treasure County**

Family Services  
1093 Main Street  
Forsyth, MT 59327 ..... 356-7918

### **Valley County**

Family Services  
P. O. Box 272  
Glasgow, MT 59230 .... 228-8221 ext 47

### **Wibaux County**

Family Services  
10 West Fallon  
Baker, MT 59313 ..... 778-2883 ext 16

### **Yellowstone County**

Family Services  
2508 3rd Avenue North  
Billings, MT 59101 ..... 657-3120

## NOTES

## MONTANA LEGAL SERVICES

Montana Legal Services is a non-profit organization that provides free legal assistance in non-criminal cases to people who have a very low income. Each person's case and financial situation are looked at individually.

**How Does Legal Services Help?** Legal Services helps people by being their lawyer. The attorneys give legal advice and represent clients in other ways, sometimes in court. The problems Legal Services generally help people with are:

**Income** - Problems dealing with welfare, food stamps, Supplemental Security Income (SSI), unemployment benefits, Medicare/Medicaid and Social Security.

**Shelter** - Problems dealing with evictions, bad housing conditions, utility shut-offs, nursing homes and public housing.

**Family** - Problems dealing with family violence and restraining orders.

**Debtor/Creditor** - Problems dealing with garnishment (wage attachment), repossession, attachments of property and hospital bills.

*If you think Montana Legal Services might be of assistance to you, contact the office nearest you.*

## MONTANA LEGAL SERVICES

### **Billings**

Montana Legal Services  
2442 1st Avenue North  
Billings, MT 59101-3093  
..... 248-7113 or 248-7114  
.....  
..... Toll Free 1-800-999-4941

### **Browning**

Montana Legal Services  
P. O. Box 627  
Browning, MT 59417 ..... 338-7623  
..... Toll Free 1-800-766-7102

### **Butte**

Montana Legal Services  
208 W. Park Street  
Butte, MT 59703-0806  
..... 723-4712 or 723-4662  
..... Toll Free 1-800-666-1079

### **Great Falls**

Montana Legal Services  
503 1st Ave. North Suite 207  
Great Falls, MT 59401  
..... 453-6589 or 453-6580  
..... Toll Free 1-800-759-1993

### **Havre**

Montana Legal Services  
208 Masonic Temple Bldg.  
Havre, MT 59501  
..... 265-6761  
..... Toll Free 1-800-945-2470

### **Helena**

Montana Legal Services  
801 North Last Chance Gulch  
Helena, MT 59601  
..... 442-9830  
..... Toll Free 1-800-666-6124

### **Kalispell**

Montana Legal Services  
33 2nd Street East  
Kalispell, MT 59901  
..... 752-9660 or 752-7138  
..... Toll Free 1-800-926-3144

### **Missoula**

Montana Legal Services  
127 East Main Street  
Missoula, MT 59801  
..... 543-8343 or 543-8971  
..... Toll Free 1-800-666-6899

### **Wolf Point**

Montana Legal Services  
204 1st Avenue South  
Wolf Point, MT 59201  
..... 653-3860 or 653-3855  
..... Toll Free 1-800-677-4680

**MENTAL HEALTH CENTERS**  
**(Alphabetical by City)**

*The following is a listing of Mental Health Centers in Montana. The fee for counseling is based on the household income and the number of dependents.*

**Anaconda**

Mental Health Center  
307 E. Park Avenue  
1st Security Bank Bldg  
Anaconda, MT 59711-0978 .... 563-3413

**Big Timber**

Mental Health Center  
515 Hooper  
Big Timber, MT 59011 .... 932-5924

**Billings**

Mental Health Center  
1245 North 29th Street  
Billings, MT 59101 .... 252-5658

**Bridger**

Mental Health Center  
P. O. Box 67  
Bridger, MT 59014 .... 662-3469

**Butte**

Mental Health Center  
2500 Continental Drive  
Butte, MT 59701 .... 723-5489

**Chester**

Mental Health Center  
P. O. Box 612  
Chester, MT 59522 .... 759-5410

**Chinook**

Mental Health Center  
P. O. Box 939  
Chinook, MT .... 357-3364

**Choteau**

Mental Health Center  
P. O. Box 100  
Choteau, MT 59422 .... 466-5681

**Colstrip**

Mental Health Center  
Box 1549  
Colstrip, MT 59323 .... 748-2800

**Columbus**

Mental Health Center  
P. O. Box 238  
Columbus, MT 59019 .... 322-4514

**Conrad**

Mental Health Center  
Pondera County Medical Center  
805 Sunset Blvd  
Conrad, MT 59425 .... 278-3205

**Cut Bank**

Mental Health Center  
706 2nd Street S.E.  
Cut Bank, MT 59427 .... 873-5538

**Dillon**

Mental Health Center  
236 E. Reeder Street  
Dillon, MT 59725 .... 683-2200

**Forsyth**

Mental Health Center  
251 North 17th Avenue  
Forsyth, MT 59327 .... 356-7654

**Glasgow**

Mental Health Center  
1009 6th Avenue North  
Glasgow, MT 59230 .... 228-9349

**Glendive**

Mental Health Center  
204 N. Kendrick  
Glendive, MT 59320 .... 365-6075

## MENTAL HEALTH CENTERS

### **Hardin**

Mental Health Center  
809 N. Custer  
Hardin, MT 59034 ..... 665-3542

### **Harlowton**

Mental Health Center  
P. O. Box 713  
Harlowton, MT 59036 ..... 632-4778

### **Havre**

Mental Health Center  
P. O. Box 1658  
Havre, MT 59501 ..... 265-9639

### **Helena**

Mental Health Center  
512 Logan  
Helena, MT 59601 ..... 442-0310

### **Great Falls**

Mental Health Center  
P. O. Box 3089  
Holiday Village Shopping Center  
Great Falls, MT ..... 761-2100

### **Kalispell**

Mental Health Center  
723 5th Avenue East  
Kalispell, MT 59901 ..... 257-1336

### **Lewistown**

Mental Health Center  
P. O. Box 44  
Lewistown, MT 59457 ..... 538-7483

### **Libby**

Mental Health Center  
15 Airfield Road  
Libby, MT 59923 ..... 293-6513

### **Livingston**

Mental Health Center  
Park County Courthouse  
P. O. Box 119  
Livingston, MT 59047 ..... 222-3332

### **Malta**

Mental Health Center  
P. O. Box 929  
Malta, MT 59538 ..... 654-1599

### **Miles City**

Mental Health Center  
1411 Lexington Blvd  
Miles City, MT 59301 ..... 232-1687

### **Missoula**

Mental Health Center  
T9-Fort Missoula  
Missoula, MT 59801 ..... 728-6817

### **Plentywood**

Mental Health Center  
Sheridan County Courthouse  
108 1st Avenue East  
Plentywood, MT 59254 ..... 765-2550

### **Red Lodge**

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P. O. Box 482  
Red Lodge, MT 59068 ..... 446-2500

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Ronan, MT 59864 ..... 676-8500

### **Roundup**

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Roundup, MT 59072 ..... 323-1142

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Scobey, MT 59263 ..... 487-5442

### **Shelby**

Mental Health Center  
220 Main Street  
Shelby, MT 59474 ..... 343-5285

**Sidney**

Mental Health Center

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Sidney, MT 59270 ..... 482-4635

**Superior**

Mental Health Center

P. O. Box 745

Superior, MT 59872 ..... 822-4093

**Thompson Falls**

Mental Health Center

Box 562

Thompson Falls, MT 59873 .... 827-4377

**Wolf Point**

Mental Health Center

116 Main Street

Wolf Point, MT 59201 ..... 653-1872

## NOTES

## GLOSSARY OF LEGAL TERMS

**Acquittal** - A final judgment by a judge or jury that the prosecution has not proven a criminal defendant's guilt beyond a reasonable doubt. This is a not guilty verdict.

**Allocution** - A right the victim has to make a statement (written or spoken) at felony sentencing hearings and parole hearings.

**Bail** - The deposit, money, property or bond that is put up by or on behalf of an arrested person in order to get him/her out of jail before or after court proceedings.

**Calendar** - The list of cases set to be heard in the same court on the same day.

**Child Abuse** - A child whose normal physical or mental health or welfare is harmed or threatened with harm by the acts or omissions of his parent or other person(s) responsible for his welfare.

**Complaint** - A written accusation filed by a prosecutor (county attorney) in a justice or municipal court, accusing one or more persons of committing a crime.

**Continuance** - A delay in court proceedings.

**Conviction** - A guilty judgment based on the verdict of a jury, a judge or on the plea of guilty or *nolo contendere* (no contest) by a criminal defendant.

**Defendant** - A person against whom a criminal case is pending.

**Defense Attorney** - The attorney representing the defendant (private attorney, court-appointed attorney).

**Disposition** - The legal action that takes place following a felony arrest, such as conviction, dismissal or acquittal.

**Direct Examination** - The questioning of a witness in court by the attorney who first called the witness.

**Discovery** - A procedure in which the defense attorney receives evidence in possession of the prosecution before the trial begins. This may include witness statements, police reports, scientific examinations, etc.

**Dismissal** - A decision by a judge to end the prosecution of a case without deciding whether the defendant is guilty or not guilty.

**Domestic Abuse** - The act of purposely or knowingly causing bodily injury to a partner or family member, or purposely or knowingly causing apprehension of bodily injury to a partner or family member.

**Elder Abuse** - The act of inflicting physical or mental injury or the deprivation of food, shelter, clothing, or services necessary to maintain the physical or mental health of an older person.

**Evidence** - This includes testimony, documents or material objects that are offered to prove or disprove any fact relevant to a case.

**Expert Witness** - A person who has specific training, education or experience on a particular subject and who is formally found to be qualified as an expert by a judge. The expert witness may then give opinions in court on matters in which his or her expertise is relevant.

**Felony** - A crime that may be punishable by a fine, imprisonment in a state prison and or death.

**Holding Order** - A decision ordering one or more persons to stand trial, made by a justice or municipal court judge after a preliminary hearing. A holding order is based on findings that one or more crimes have been committed and that sufficient cause exists to believe one or more persons identified at the preliminary hearing committed the crime(s).

**Hung Jury** - This occurs when jurors cannot unanimously agree on a verdict of either guilty or not guilty. In the event of a hung jury, the judge will declare a mistrial. The case may then be retried at the discretion of the prosecutor.

**Indictment** - A written accusation returned by a grand jury and filed in superior court.

**Investigators** - Either law enforcement personnel working for the prosecution or private investigators working for the defense during the preliminary investigation of a criminal case.

**Lower Courts** - Justice and municipal courts.

**Misdemeanor** - A crime punishable by imprisonment in the county jail for not more than one year, by fine, or by both.

**Mistrial** - A mistrial occurs when a trial must be stopped for any reason or when jurors cannot unanimously agree on a verdict. The case may then be retried at the discretion of the prosecution.

**Motion** - The formal request, by either the prosecuting attorney or defense attorney, for a judge to hear and decide a disputed issue.

**"Overruled"** - A judge's ruling that an attorney's objection during a court proceeding is improper.

**Own Recognizance** - The release, without bail, of a criminal defendant who promises a judge to appear at future court proceedings. This is possible in cases in which a defendant is entitled to post bail. Failure by a defendant to later appear in court is a crime.

**Parole** - The formal supervision of a convicted offender by a state parole officer when the offender is released from a state correctional institution into the community.

**Plea** - The response by a defendant to formal charge(s) in court. Such pleas include guilty, not guilty, nolo contendere (no contest) or not guilty by reason of insanity.

**Plea Bargain** - A plea bargain usually involves a criminal defendant pleading guilty or nolo contendere (no contest) to a lesser offense or to only one of several charged offenses in return for an agreed-upon disposition.

**Probation** - A status imposed on a criminal defendant who agrees to be supervised, usually formally, by a county probation department under specific conditions. Conditions of probation may include county jail, a fine, restitution to the victim, community work, counseling or good conduct.

**Prosecutor** - At the county level, the prosecutor will usually be the county attorney's office. The county attorney or prosecutor reviews the evidence to determine if a complaint may be filed. When a complaint is filed, the county attorney will then prosecute the case through final disposition.

**Public Defender** - At the county level the public defender, if one is appointed, will be the attorney for the defense. The public defender will present the defendant's case in court.

**Restitution** - Payment to a crime victim by a criminal defendant for financial losses or personal injuries caused by the crime.

**Sentence** - The penalty imposed by a judge upon a convicted criminal.

**Subpoena** - A mandatory legal notice to appear in court.

**"Sustained"** - A judge's ruling that an attorney's objection during a court proceeding is proper.

**Victim** - Anyone who suffers emotional or physical injuries or who dies as a result of a crime.

**Witness** - A person who has knowledge about a case and who may be called upon to testify in court.



PLEASE TAKE A MINUTE ...

In order for us to improve services to crime victims in Montana we ask that you fill out this survey and return it to:

MONTANA BOARD OF CRIME CONTROL  
VICTIM ASSISTANCE PROGRAM  
303 NORTH ROBERTS  
PO BOX 201408  
HELENA, MT 59620-1408

*Please check the appropriate box as it applies to you:*

☐ Victim of a Crime

☐ Service Provider

☐ Other \_\_\_\_\_

*If you have been a victim of a crime, were the services you received adequate for your needs?*

☐ Yes      ☐ No

*How helpful was this book to you?*

☐ Very      ☐ Somewhat

☐ Very Little      ☐ No Help

*What additional services would be helpful for victims of crime?* \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

*What other information should be included to improve this handbook?* \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

*What other lists should be included to improve this handbook?* \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_





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